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Hamilton, Ont. Council:
Agendas of The Council.
Jan 1983 - May 1983.

Urb/Mun Agenda Bulletin Board

JAN 8 1983

MEETING OF CITY COUNCIL

January 11, 1983

A G E N D A

B..... Parks and Recreation Committee
C Finance Committee
D Planning and Development Committee
E..... Legislation Committee
F..... Personnel Committee
J..... By-laws

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of City Council:

The Parks and Recreation Committee presents its **SECOND** Report and respectfully recommends:

1. That the "Final Design Report" and the "Final Design Cost Estimate" for the Hamilton Trade Centre/Arena Project dated December 16th, 1982, as prepared by Parkin Partnership, Architects, be received and accepted.

NOTE: With the adoption of section 22 of the Fifteenth Report of the Parks and Recreation Committee, City Council at its meeting on June 29th, 1982 authorized Parkin Partnership, Architects, to proceed with PHASE II - DESIGN DEVELOPMENT and PHASE III - CONSTRUCTION DEVELOPMENT DOCUMENTS for the Trade Centre/Arena Project.

Parkin Partnership has now completed Phase II and is submitting these reports as required by their Terms of Reference.

The committee wishes to advise that the revised total cost estimate for the project based on these drawings and reports is \$42,687,496.00.

Copies of Parkin Partnership's reports were previously forwarded to the Members of City Council. Further copies, if required, are available from the secretary of the Parks and Recreation Committee.

2. That the "Market Study and Net Revenue Projections" for the Hamilton Trade Centre/Arena Project dated December 22, 1982, as prepared by Pannell Kerr Forster Campbell Sharp, Management Consultants, be received and accepted.

NOTE: With the adoption of section 2 of the Sixteenth Report of the Finance Committee, City Council on September 14th, 1982 approved the appointment of this consulting firm to carry out the marketing study for the proposed Trade Centre/Arena facility.

The Management Consultants were to determine before the project went to tender, exactly what operating revenues, including advertising and expenditures would be generated by this facility on completion, in order that City Council would have realistic financial information on which to base a decision whether or not to proceed with the project.

The Management Consultants' Report, which was previously forwarded to the Members of City Council, states in part as follows:

"As a result of our study, we believe that market conditions generally support the development of a major arena facility in Hamilton."

Additional copies of the Management Consultants' Report, if required, are available from the secretary of the Parks and Recreation Committee.

3. (a) That the Trade Centre/Arena Project be proceeded with and that the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval to proceed at a cost not to exceed 42.7 million dollars.
- (b) That the Finance Committee be requested to recommend the method of financing this project.

NOTE: Copies of the City Treasurer and Commissioner of Finance's Report, "Analysis of Proposed Financing", dated December 1982, were previously forwarded to the Members of City Council. Additional copies, if required, are available from the secretary of the Parks and Recreation Committee.

4. That the City Solicitor be authorized and directed to make application to the Ministry of the Environment for exemption of the Trade Centre/Arena Project from the requirements of The Environmental Assessment Act.

NOTE: The committee wishes to advise that exemptions may be requested under Section 29 of The Environmental Assessment Act for any municipal project which would ultimately be subject to The Act. The Trade Centre/Arena Project is part of a larger urban renewal scheme which has received approval and support from all levels of government over a number of years and is not the type of project which would be construed as dangerous to the environment and therefore it is appropriate to request such an exemption.

Respectfully submitted,

**ALDERMAN B. HINKLEY, CHAIRMAN
PARKS AND RECREATION COMMITTEE**

J. J. Schatz, Secretary
January 5th, 1983

REPORT OF THE FINANCIAL COMMITTEE

To the Council of the Corporation of the City of London

Respectfully Submitted

The Financial Committee hereby reports the following results of its work during the year ended 31st March 1964:

Summary of the following statements:

1. THE CORPORATION OF THE CITY OF LONDON

Approved by the Management Committee for the year ended 31st March 1964, the following statement of the Corporation's financial position, as at 31st March 1964, and the statement of the Corporation's income and expenditure for the year ended 31st March 1964, are submitted to the Council for their approval.

2. THE CORPORATION OF THE CITY OF LONDON

The following statement of the Corporation's financial position, as at 31st March 1964, and the statement of the Corporation's income and expenditure for the year ended 31st March 1964, are submitted to the Council for their approval.

3. THE CORPORATION OF THE CITY OF LONDON

The following statement of the Corporation's financial position, as at 31st March 1964, and the statement of the Corporation's income and expenditure for the year ended 31st March 1964, are submitted to the Council for their approval.

At 1st April 1963	£1,000,000	100%
At 31st March 1964	£1,000,000	100%
At 1st April 1963	£1,000,000	100%
At 31st March 1964	£1,000,000	100%
At 1st April 1963	£1,000,000	100%
At 31st March 1964	£1,000,000	100%
At 1st April 1963	£1,000,000	100%
At 31st March 1964	£1,000,000	100%


The following statement of the Corporation's financial position, as at 31st March 1964, and the statement of the Corporation's income and expenditure for the year ended 31st March 1964, are submitted to the Council for their approval.

At 31st March 1964, the Corporation's financial position was as follows:

4. THE CORPORATION OF THE CITY OF LONDON

The following statement of the Corporation's financial position, as at 31st March 1964, and the statement of the Corporation's income and expenditure for the year ended 31st March 1964, are submitted to the Council for their approval.

At 1st April 1963	£1,000,000	100%
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REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its **SECOND** Report and respectfully recommends:

1. Approval of the following contracts:

(a) **OTIS ELEVATOR COMPANY LIMITED, Hamilton, Ontario**

Annual Service Maintenance Agreement for 1983 for elevators at the City Hall and Provincial Judges' Court, in accordance with specifications issued by the Director of Purchases and Vendor's Tender for the total sum of \$29,742.65

NOTE: Only acceptable supplier.

(b) **HONEYWELL LTD., Hamilton, Ontario**

To service electrical controls for 1983 at various civic buildings in accordance with specifications issued by the Director of Purchases and Vendor's Tender for the total sum of \$37,123.00

NOTE: Only acceptable supplier.

(c) **UNDERWOOD SHOES LTD., Ingersoll, Ontario**

Supply and delivery of the following safety footwear in accordance with the Specifications issued by the Director of Purchases and Vendor's Tender.

6" Safety Boot	\$38.10	per pair
8" Insulated Boot	\$48.45	per pair
8" Non-insulated Boot	\$42.10	per pair
#4303 Safety Boot	\$23.86	per pair
10" Overboots	\$17.85	per pair
Knee Rubber Boots	\$19.00	per pair
Hip Rubber Boots	\$43.60	per pair

Plus 7% Ontario Sales Tax.

NOTE: Lowest of six (6) tenders received.

(d) **EMILLE SHOES LTD., Burlington, Ontario**

Supply and delivery of the following safety shoes and boots in accordance with the specifications issued by the Director of Purchases and Vendor's Tender.

Oxford Safety Shoes #332 \$28.65 per pair

Kraton Sole Safety Shoes	\$26.95	per pair
10" Safety Boots	\$26.75	per pair

Plus 7% Ontario Sales Tax.

NOTE: Lowest of six (6) tenders received.

2. Approval of the settlement of the following claims:

- (a) Basil Downey, a police officer and City employee at the time of this accident, was a passenger in a City motor vehicle (police cruiser) on August 4, 1966 when he was thrown against the dashboard of the vehicle when the police officer driving attempted to avoid a collision. Officer Downey suffered injury to his right wrist and knee. The matter was settled by the Secretary of the Claims Committee in 1966 and Mr. Downey has now applied for the surplus of \$50.00, remaining after payment of the City's expenses, which must be paid to him pursuant to Section 8(4) of The Workmen's Compensation Act, R.S.O. 1980, Chapter 539 and which payment is recommended. The Workmen's Compensation Act also provides that in the event of a recurrence the surplus paid to the workman remains as a credit in favour of the City and will be deducted from the amount of any future compensation or other benefits to which the workman may become entitled to from Workmen's Compensation with respect to this accident.
- (b) By County Court Writ issued October 14, 1981 Loreen Lovejoy commenced action against the City and Mike Roberts for damages for personal injuries she allegedly suffered to her shoulder and head when the vehicle she was driving was struck from behind by a City vehicle operated by Mike Roberts, an employee of the Building Department. She was operating a vehicle owner by Mr. George Cavael.

City Council at its meeting held January 12, 1982 approved payment of the damages to Mr. Cavael's vehicle in the amount of \$100.00.

It is recommended that the claim of Loreen Lovejoy be settled in the amount of \$4,045.75, inclusive of costs.

- (c) Barry Wayne Harris was a fireman with the City's Fire Prevention Office at the time of this accident. He was inspecting premises owned by Marko Bukovac when he fell into a boiler pit due to the light not working and lack of protection around the pit. Legal action was commenced and the action was tried on September 22, 1975 with judgement in the amount of \$3,899.64, plus \$650.00 for costs being awarded to the City and Barry Wayne Harris. After deduction of the City's expenses of \$3,640.47 there remains a surplus of \$259.17 which must be paid to Barry Wayne Harris pursuant to Section 8(4) of The Workmen's Compensation Act, R.S.O., 1980, Chapter 539 and which payment is recommended. The workmen's Compensation Act also provides that in the event of a recurrence, the surplus paid to the workman remains as a credit in favour of the City and will be deducted from the amount of any future compensation or other benefits to which the workman may become entitled to from Workmen's Compensation with respect to this accident.
- (d) John Robert Bronson, a police officer and City employee at the time of this accident, was operating a City motor vehicle (police cruiser) on December 24, 1971 when it was struck by a motor vehicle owned by John William Roussel and operated by Gary Weiderick. Officer Bronson suffered injury to his hip, thigh and back. Legal action was commenced on December 22, 1972 to recover damages on behalf of Officer Bronson and the City, and a settlement in the amount of \$3,716.24, including

costs of \$400.00 was approved by the Board of Control on October 21, 1974. After deduction of the City's expenses there remains a surplus of \$577.05 which must be paid to John Robert Bronson pursuant to Section 8(4) of The Workmen's Compensation Act, R.S.O.1980, Chapter 539 and which payment is recommended. The Workmen's Compensation Act also provides that in the event of a recurrence, the surplus paid to the workman remains as credit in favour of the City and will be deducted from the amount of any future compensation or other benefits to which the workman may become entitled to from Workmen's Compensation with respect to this accident.

3. Approval of the payment of the following:

- (a) An account in the amount \$1,376.33 from Messrs. McTaggart, Stone, Winters & Herridge, Barristers and Solicitors, dated December 28th, 1982.

This amount is for reimbursement of fees paid to Dunwoody & Company for services provided to McTaggart, Stone, Winters & Herridge in the preparation of the City's case against the Toronto, Hamilton and Buffalo Railway Company and Canadian Pacific Limited.

NOTE: This account was inadvertently excluded as a disbursement in the Interim Account of McTaggart, Stone, Winters and Herridge which was recently authorized by City Council.

- (b) Action was commenced against former Alderman P. O. Valeriano by Supreme Court of Ontario Writ issued July 10, 1981 in which Daniel Kljajevich claimed damages for conspiracy to injure him in his trade relations commencing during 1970 and continuing until the present time.

City Council obtained Special Legislation to assume and pay all costs and legal expenses as may be incurred from time to time and the full amount of any judgement as may be awarded. Former Alderman Valeriano retained Mr. Brian W. B. Morison, Q.C. The action against former Alderman Valeriano was stayed by His Honour Judge Warrender on September 22nd, 1982 and Mr. Morison submitted an account dated October 5th, 1982 and in the amount of \$7,680.50, which was taxed on December 6th, 1982 and reduced to \$4,730.50, including a reduction of \$50.00 for costs awarded to the City on the taxation. It is recommended that Mr. Morison's October 5th, 1982 account in the amount of \$4,730.50 as taxed be paid.

4. Section 3 of the Second Report of the Parks and Recreation Committee makes reference to the financing of the proposed Trade Centre/Arena.

The Finance Committee recommends that in accordance with Schedule "B" of the City Treasurer and Commissioner of Finance's "Analysis of Proposed Financing", dated December 1982, City Council approve the following:

- (a) The transfer from a reserve, the sum of \$1,000,000. in 1982 and \$1,000,000. in 1983 for the Trade Centre/Arena Complex.
- (b) The City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval to construct the Trade Centre/Arena Complex in the estimated gross cost of \$42,700,000. and the authority to finance the net cost in the amount of \$17,787,000. by the issuance of debentures for a period not to exceed twenty years. The difference between \$42,700,000. and \$17,787,000. in the total

amount of \$24,913,000. will be financed as outlined in Schedule "B" of the Treasurer's report dated December 1982 (attached hereto as Appendix 1).

It is further recommended that an application be made to the Regional Municipality of Hamilton-Wentworth for the consent to issue debentures in the total amount of \$17,787,000. for a term not to exceed twenty years for the above project.

NOTE: Complete copies of the City Treasurer and Commissioner of Finance's Report "Analysis of Proposed Financing" dated December 1982, referred to above, were previously forwarded to the members of City Council. Additional copies, if required, may be obtained from the Secretary of the Parks and Recreation Committee.

5. That leave be granted to introduce the following bill:

Bill C-3 By-law Respecting Development and Improvement in the McQuesten East and West Neighbourhoods.

Bill C-4 By-law to authorize Replacement of Destroyed Debentures.

Respectfully submitted,

**ALDERMAN P. J. PETERSON, CHAIRMAN
FINANCE COMMITTEE**

J. J. Schatz, Secretary
January 6th, 1983
attchm.

City of Hamilton
Treasury

Schedule "B"

PROPOSED METHOD OF FINANCING AN 18,000 SEAT TRADE CENTRE/ARENA COMPLEX
BASED ON ESTIMATED CAPITAL CONTRIBUTIONS
(assuming construction starts in 1983)
(000's)

Description (1)	Total (2) \$	1981 (3) \$	1982 (4) \$	1983 (5) \$	1984 (6) \$	1985 (7) \$
Schedule of Financing:						
(a) Confirmed -						
Federal Contribution	4,000	4,000				
Province of Ontario Contribution	4,075		100	3,900	75	
Allocation from 5 Mill Capital Levy	2,900	200	600	1,200	500	400
1 Mill special Capital Levy	3,543		873	881	890	899
Allocation from Reserve for Contingency	2,500		2,500			
Interest income on Reserve for Trade Centre/Arena Complex	1,631	500	1,131			
	18,649	4,700	5,204	5,981	1,465	1,299
(b) Proposed - (Approval of City Council required)						
Allocation from Reserve	2,000		1,000	1,000		
(c) Estimated -						
Public subscription	3,500			2,500	1,000	
Interest income on Reserve for Trade Centre/Arena Complex	764			764		
	4,264			3,264	1,000	
Total Cash Receipts	24,913	4,700	6,204	10,245	2,465	1,299

Appendix 1, as referred to in item 4 of the Second Report of the Finance Committee.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SECOND** Report and respectfully recommends:

1. (1) That **Zoning Application 82-53, Ontario Public Service Employees Union**, applicant, requesting a modification to the established "AA" (Agricultural) District regulations applicable to the property at 634 Rymal Road West, to permit the use of these lands as a day nursery, be approved on the following basis:

- (a) That the "AA" (Agricultural) District regulations as contained in Section 7A of By-law No. 6593 be modified as follows:-

- (i) That notwithstanding the provisions of Section 7A(1), a day nursery shall be permitted within the existing building for the accommodation of a maximum of 125 children, at lands located at 634 Rymal Road West, as shown on the attached plan marked as APPENDIX "A".

- (b) That the amending by-law be added to Section 19(b) of Zoning By-law No. 6593 as Schedule S-807.

- (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W-27D, and make application to The Ontario Municipal Board for approval, on completion of its requirements by the City Clerk.

- (d) That the proposed zoning modification is in conformity with the Official Plan for the Hamilton Planning Area.

- (2) That the application to the Ontario Municipal Board for approval of the amending by-law be withheld until such time as the following condition has been satisfied:-

That the applicants submit a letter of undertaking wherein they agree to provide access, parking and maneuvering areas and drop-off areas as shown in a sketch plan prepared by the City of Hamilton Traffic Department.

Explanatory Note - The by-law will provide for a modification to the established "AA" (Agricultural) District to permit a day nursery for the accommodation of a maximum of 125 children at lands located at No. 634 Rymal Road West, as shown on Zoning District Map W-27D.

2. That approval be given to **Zoning Application ZA 81-66 by Greti Development Company Limited**, owner, for lands located at 55 Wendover Drive, for a revised site plan to Schedule B8 of By-law 69-213 on the following basis:

- (a) That Schedule B8 of By-law 69-213 be deleted and replaced by the approved revised schedule.

- (b) That the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-110b and that the subject lands on Zoning District Map W-37A be noted S-110b.
- (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map W-37A and to make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- (d) That the "undertaking" of Site Plan Control not be required for the revised plan in relation to the relocation of the parking spaces.

Explanatory Note - The by-law provides for a revised site plan for the lands known as No.55 Wendover Drive, the location of which is shown on Zoning District Map W-37A. The change is a result of a reduction of land area and a relocation of parking spaces.

- 3. That approval be given to **Zoning Application 82-45, Franco Augustino**, owner, for a modification to the Zoning regulations application to property located at #401 Barton Street East, as shown on the attached plan marked as APPENDIX "B", on the following basis:
 - (a) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of By-law No. 6593 be modified as follows:
 - (i) that notwithstanding the provisions of Sections 14(1) and 14(3)(ii)(a), two dwelling units shall be permitted within the existing building;
 - (b) That the amending by-law be added to Section 19(b) of Zoning By-law No. 6593 as Schedule S-808.
 - (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-12, and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk;
 - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The by-law will provide for a modification to the established "H" (Community Shopping and Commercial, etc.) District to permit two dwelling units within the existing building located at No.401 Barton Street East.

- 4. (1) That approval be given to **Zoning Application 81-10, Ted Paul**, owner, to establish a change in zoning from "AA" (Agricultural) District to "G3" (Public Parking Lots) District for lands located in the area north of Queenston Road (Highway No. 8) and to the west of Gray's Road as shown on the attached plan marked as APPENDIX "C" on the following basis:
 - (a) That the subject lands be rezoned from "AA" (Agricultural) District to "G3" (Public Parking Lots) District;
 - (b) That the "G3" District provisions as contained in Section 13C of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variance as a special requirement:
 - (i) That Section 13C(2) of By-law No. 6593 shall not apply.

- (c) That a planting strip of a minimum width of 1.5 m be provided along the northerly, easterly and westerly lot lines of the parking lot.
- (d) That the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-809.
- (e) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Maps E-124 and E-125 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- (f) That the proposed change in Zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (g) That the Riverdale East Neighbourhood Plan be amended accordingly.
- (2) That the application to the Ontario Municipal Board for approval of the subject Zoning By-law be withheld until such time as the following condition has been satisfied:
 - (i) That the applicant submit a site plan for the parking lot and obtain approval of the Planning and Development Committee.

Explanatory Note - The by-law will provide for a change in zoning from "AA" (Agricultural) District to "G-3" (Public Parking Lots) District for lands located in the area north of Queenston Road (Highway No.8) and to the west of Gray's Road, as shown on Zoning District Maps E-124 and E-125.

The purpose of the change is to permit the continuance of an existing parking lot used in conjunction with the established plaza to the south.

5. That approval be given to **Zoning Application 82-30, Frederick Montgomery Seymour and Gwynette Jenica Seymour**, owners, for a modification to the zoning regulations applicable to property located at No.60 West Avenue South, as shown on the attached plan marked as APPENDIX "D" on the following basis:
 - (a) that the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations applicable to the subject lands be modified to include the following variances and restrictions:
 - (i) that notwithstanding Subsection (7) of Section 11 of Zoning By-law 6593, a residential care facility shall be permitted;
 - (ii) that notwithstanding clause (iiib) of Subsection (1) of Section 11 of Zoning By-law 6593, the residential care facility shall be restricted to 12 residents of at least 60 years of age who cannot be cared for or live at home without supervision or assistance;
 - (iii) that a minimum of 4 off-street parking spaces be provided on the site;
 - (iv) that the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-810 and Zoning District Map E-14 be notated S-810;

- (v) that the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map E-14 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk; and

- (vi) that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The by-law will provide for a modification to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to permit a residential care facility for a maximum of 12 residents of at least 60 years of age.

The by-law also requires a minimum of 4 off-street parking spaces for the residential care facility.

- 6. That **Zoning Application 82-17, Kris Steinbergs**, owner, requesting a modification to the established "C" (Urban Protected Residential, etc.) District regulations applicable to property located at 265 Bowman Street as shown on the attached plan marked as APPENDIX "E" to permit three single family dwelling lots, which would have reduced lot frontages on Bowman Street, be denied for the following reason:

The proposed development would be undesirable in the absence of a public roadway, which would provide the interior lots with frontage and access to a public road rather than individual private driveways. The Applicant advised that construction of a public road would make development not economically viable. The Committee suggested that the applicant attempt to acquire additional lands to permit development by means of a public road.

- 7. That **Zoning Application 82-43, Keith Anthony Alleson**, owner, requesting a modification to the established "C" (Urban Protected Residential etc.) District regulations, to permit the conversion of a three-family dwelling into a four-unit multiple dwelling, applicable to property located at No. 264 MacNab Street South, as shown on the attached plan marked as APPENDIX "F" be denied for the following reasons:

- (a) It is considered that the proposed development would not be in keeping with the residential character of the existing development in the area, and therefore the proposal would not be in the interest of the community.

- (b) Approval of the application would set an undesirable precedent for future similar applications.

- 8. With reference to the review of the Ontario Municipal Board decision regarding By-law No. 81-346, **Royal Hamilton Military Institute:-**

- (a) That By-law No. 81-346 which provides for a change in zoning for lands at the south-east corner of Robinson and Park Streets be amended on the following basis:

- (i) That clause (e) of Section 2 of By-law No. 81-346 be repealed and the following substituted therefor:-

- "e) as to Block 2, notwithstanding Section 11(3)(ii)(b) of By-law No. 6593, a side yard shall be provided and maintained,

- i) between the west wall of the proposed multiple dwelling and the west limit of Block 2 having a width of 4.57 metres, and
 - ii) between the east wall of the proposed multiple dwelling and the east limit of Block 2 having a width of at least 6.25 metres."
- (ii) That clause (f) of Section 2 of By-law No. 81-346 be amended by adding at the end thereof "and the proposed multiple dwelling shall not contain more than 21 dwelling units."
- (iii) That section 2 of By-law No. 81-346 be amended by adding the following clause thereto:
 - "h) as to Block 2, notwithstanding section 18(3)(iv)(a) of By-law No. 6593 or any successor thereto, not less than 21 off-street parking spaces shall be provided on the site.
- (b) That the amending by-law be added to Section 19(b) of Zoning By-law No. 6593 as Schedule S-776a, and that the subject land on Zoning District Map W-5 be notated S-776a.
- (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 81-346, By-law No. 6593 and Zoning District Map W-5, and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- 9. (a) . That the City of Hamilton approve a **By-law to remove part-lot control** on Lots 1 to 20 inclusive on Plan M-286, Gilkson Woods Addition, Phase 1.
- (b) That application be made to the Region to approve the By-law removing part-lot control on the above-noted lots.
- 10. That a two year **extension of draft approval for Application SA 79-05, proposed subdivision "Regent Court"**, located at the west end of Regent Avenue in the area south-east of Stone Church Road and Upper Paradise Road, be recommended to the Region.
- 11. That a six month **extension of draft approval for application SA 77-15, proposed subdivision "Oakland Park Extension No. 3"**, located at the south end of Highridge Avenue and Berkindale Drive, be recommended to the Region.
- 12. That a two year **extension of draft approval for application SA 79-10, proposed condominium by Centre Mortgage**, owner, located on the east side of Dunn Avenue between Glow and Grace Avenues, be recommended to the Region.
- 13. That approval be given to change the street name **Gafney Drive to Gardiner Drive** and that the City Solicitor be directed to prepare a by-law to change the street name accordingly.

Explanatory Note - The Planning and Development Committee held a public meeting on December 15, 1982 to consider passing a by-law to change the street name of Gafney Drive to Gardiner Drive, in the Gilkson Neighbourhood. Notice of the public meeting

was published in the Spectator for four successive weeks in accordance with the Municipal Act requirements. The subject street name change will eliminate one continuous street in the Gilkson Neighbourhood having two names and in addition once the by-law has been passed the existing municipal numbers will be changed to reflect the continuing series of Gardiner Drive.

14. With reference to the **Downtown Action Plan** for the area along King Street east of James Street:-
 - (a) That the Downtown Action Plan, prepared by du Toit Associates Ltd., be received by Council;
 - (b) That the Conceptual Streetscape Master Plan - Gore Park Area - Long Term Plan and Phasing Plan be approved in principle by Council;
 - (c) That funding for implementation of the Conceptual Streetscape Master Plan - Gore Park Area - be referred to the Capital Budget Committee;
 - (d) That the Downtown Action Plan be circulated to the other Committees affected for approval of the implementation measures within their mandate for the Conceptual Streetscape Master Plan - Gore Park Area - after Council approval;
 - (e) That Council circulate the Downtown Action Plan to Regional Council requesting co-operation for the work required on the Conceptual Streetscape Master Plan - Gore Park Area; and
 - (f) That Council direct the Director of Community Development to co-ordinate the implementation of the Downtown Action Plan and to expedite the first phase of the Plan.
15. With reference to **Heritage District Priorities** -
 - (a) That a Heritage Conservation District Study proceed for James North as shown on the attached plan marked as APPENDIX "G" providing a grant for the Study is obtainable from the Ministry of Citizenship and Culture;
 - (b) That Council apply to the Ministry of Citizenship and Culture for a Heritage Conservation District Study grant for the cost of the James North Study, and that the Planning and Development Department prepare the application;
 - (c) That the Planning and Development Department be requested to include the James North Heritage Study in its work programme for 1983;
 - (d) That Council instruct the Legal Department to prepare a by-law of intent to study James North, as prescribed under the Ontario Heritage Act, providing the grant receives Provincial approval; and
 - (e) That the Planning and Development Department be directed to review the remaining potential heritage conservation districts after the results of the King East Research Study are available.
16. That remaining holdback in the amount of \$2,458.65 be released to **Sentinel Aluminum Products** for completion of the contract for aluminum doors and windows at the Central Library and Farmers' Market, pending receipt by the Treasury Department of the necessary forms from the contractor and Legal Department.

17. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-

190 Cavell
207 Tragina Avenue North
17 Aldridge Street
483 Beach Boulevard
172 Beach Boulevard
14 Renfrew
18 Renfrew
220,222 MacNab Street North
11 Arthur Avenue North

139 Belview Avenue
768 Burlington Street East
2 Kirk Avenue
517, 517 1/2 Beach Boulevard
515 Beach Boulevard
13A Grafton
5 Knapmans
34 Adair Avenue South
209 Tragina Avenue Northj

18. That City Council instruct the City Solicitor to Rescind By-law 82-182 dated August 31, 1982 which was prepared for the demolition of the building and the clearing of lands located at 148 McAnulty Boulevard pursuant to Subsection 21 of Section 43 of The Planning Act, R.S.O., 1980, Chapter 379, formerly Section 36 of The Planning Act.

The demolition of said property has now been completed and the site has been cleared, therefore the Order issued pursuant to the Planning Act has been complied with.

19. That City Council instruct the City Solicitor to Rescind By-law 82-100 dated April 27, 1982, which was prepared for the demolition of the building and clearing of lands located at 199 McAnulty Boulevard pursuant to Subsection 21 of Section 43 of The Planning Act, R.S.O., 1980, Chapter 379, formerly Section 36 of The Planning Act.

The demolition of said property has now been completed and the site has been cleared, therefore the Order issued pursuant to the Planning Act has been complied with.

20. That City Council instruct the City Solicitor to prepare a By-law for the demolition and removal of the garage located at 297 Charlton Avenue West, pursuant to Subsection 21 of Section 43 of The Planning Act, R.S.O., 1980, Chapter 379, formerly section 36 of The Planning Act.

21. That City Council instruct the City Solicitor to prepare a By-law for the demolition of the building and clearing of lands located at 190 Cavell Avenue pursuant to Subsection 21 of Section 43 of The Planning Act, R.S.O., 1980, Chapter 379.

22. That the Community Development Department be authorized and directed to institute negotiations with appropriate Federal and Provincial Officials to investigate new and innovative ways that the City of Hamilton can receive monies to assist with the implementation of the Downtown Action Plan.

23. Approval of the list of applicants submitted herewith and authorization for the Department of Community Development to process grants and/or loans in an amount not

to exceed \$7,500.00 with the actual amount of grant or loan to be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to the Housing Development Act Regulation 506 (R.R.O. 1980).

That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme.

H. Keown
231 Summerhill Avenue

L. Black
600 Roxborough Avenue

D. Hamilton
145 Avondale Street

J. Armstrong
84 Huxley Avenue North

A. Vrdoljak
68 McAnulty Boulevard

P. Hrynicky
110 West 32nd Street

C. Liota
50 Marlowe Drive

T. Marchese
205 Park Street North

J. Novak
119 Robins Avenue

D. Crabb
84 Houghton Avenue North

T. Toman
291 Glennie Avenue

R. Fekete
658 Upper Wellington Street

J. Paxton
9 South Street

24. Approval of the list of applicants submitted herewith and authorization for the Department of Community Development to process grants and/or loans in an amount not to exceed \$7,500.00 with the actual amount of grant or loan to be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to By-law 78-113.

That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Hamilton Rehabilitation Programme.

J. Wheedon
51 East Bend Avenue South

S. Siliganos
37 East Bend Avenue North

G. Arsenault
85 London Street North

J. S. Tsai
21 Ainslie Avenue

25. That the Mayor and City Clerk be authorized to amend Schedule D to the existing R.R.A.P. agreement to include the Neighbourhoods of Homeside, McQueston East and McQueston West and a portion of the Keith Neighbourhood.

For the information of City Council, this amendment will permit the City to process rehabilitation loans under the Federal Government's Residential Rehabilitation Assistance Programme in the above neighbourhoods.

26. (a) That the Redevelopment of St. Patrick's School Grounds be undertaken at a cost not to exceed fifty thousand dollars (\$50,000.00) pursuant to the provisions of the Neighbourhood Improvement Programme (N.I.P.);
- (b) That the City Solicitor be hereby authorized and directed to prepare an agreement in accordance with Canada Mortgage and Housing Corporation, General Memorandum B-1045 and the Education Act of Ontario (1974) between the Corporation of the City of Hamilton and the Hamilton-Wentworth Separate School Board;
- (c) That the Mayor and City Clerk be hereby authorized to execute the agreement to which reference is made in (b) above; and
- (d) That the cost to which reference is made in (a) above, be financed from the appropriate accounts pertaining to the N.I.P. in the Landsdale Redevelopment Area.
27. (a) That a grant and a repayable loan in the amount of three thousand nine hundred and ninety dollars (\$3,990.00) be approved for Mr. and Mrs. J. Barrow, 17 Sherrylane Drive, for adaptation of their home for Mr. Barrow's handicap.
- (b) That subject to approval, the lien be registered on title indicating that a forgivable grant in the amount of one thousand nine hundred and ninety five dollars (\$1,995.00) be earned over a three year period and the balance of one thousand nine hundred and ninety five dollars (\$1,995.00) be repaid to the Corporation of the City of Hamilton at the time of the sale of the property. The interest rate on the repayable portion will be zero percent.
28. That the City of Hamilton as owner of Lot 36, part of Lot 37, Registered Plan 367 make application to the Committee of Adjustment for a minor variance to the existing zoning. Permission is required to establish two new building lots for single family dwellings with frontage of 26 feet each on Princess Street, and at such time as this variance is granted, that the City sell these two residential lots on the open market. Further, we recommend that the Treasurer be requested to recommend the means of financing this application in the amount of \$75.00 and that these funds be transferred to the Building Department revenue account to cover the fee for this application.
29. Approval of the awarding of the following contracts:

- (a) **WESTINGHOUSE CANADA INC., Hamilton, Ontario**

Central Utilities Plant

Supply and delivery of One (1) Joslyn Vacuum Breaker,
in accordance with Vendor's Tender for the sum of \$12,406.65
All charges included.

Note - Lower of two tenders.

see over/

The above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states:

"An order can be placed upon the approval of two of the following:

The Mayor
The appropriate Committee Chairman
The Chief Administrative Officer -

and that any action taken under this provision to be reported to the next regular meeting of City Council."

- (b) **WANG CANADA LTD., Burlington, and
FIRST CITY CAPITAL LTD., Hamilton**

Leasing of Word Processing equipment
for a three year period

Supply and delivery of word processing equipment in accordance with specifications included in a Proposal Call made by the Director of Purchasing and Vendor's Proposal for a monthly cost for 36 months at a fixed rate with the guaranteed purchase by the City at termination of the lease for 20 percent of the price.

Monthly equipment cost	\$1,914.00
Monthly maintenance cost	486.00
Plus 7 percent Ontario Tax and delivery costs	

NOTE: Seven proposals were received, four were rejected as not offering the equipment required. The remaining three were analyzed and the recommended supplier was the lowest proposal received and the only one that met the requirements of the Building Department.

The Wang Proposal will replace existing word processing equipment located in the Building Department. The necessary funding has been provided for in the 1983 Budget.

30. That leave be granted to introduce the following Bills:-

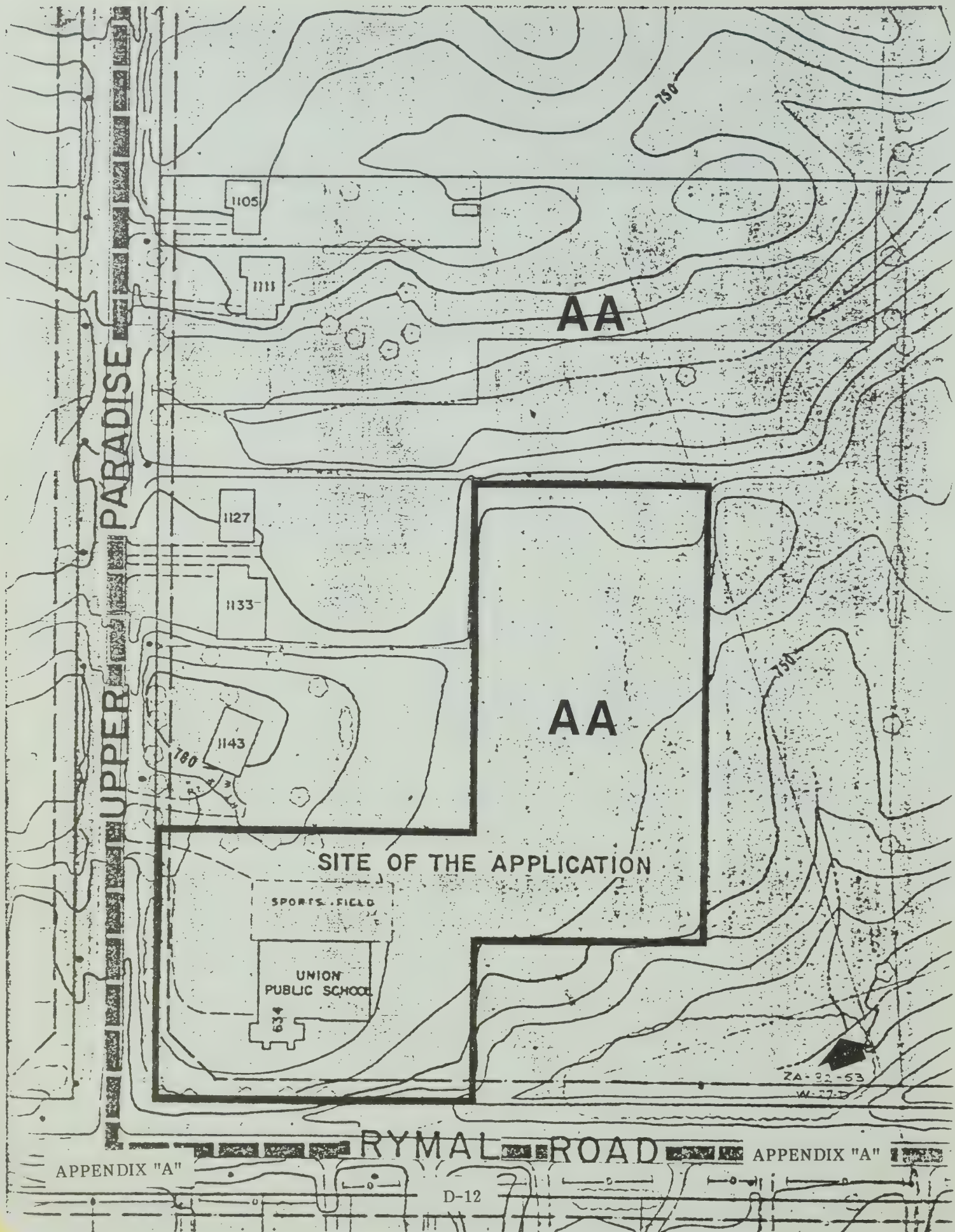
- (a) Bill D-12 - By-law to Authorize Demolition and Clearing of Buildings, Structures, Debris or Refuse at 47 Florence Street
- (b) Bill D-13 - By-law to Authorize Demolition and Clearing of Buildings, Structures, Debris or Refuse at 49 Florence Street
- (c) Bill D-14 - By-law to Amend Zoning By-law No. 6593 respecting land located in the Area east of Upper Paradise Road, north of Stone Church Road West and south of Gardiner Drive and Gemini Drive
- (d) Bill D-15 - By-law to Amend Zoning By-law No. 6593 respecting land located in the area east of Upper Paradise Road and west of Gafney Drive and south of Gardiner Drive (Blocks 4, 5, 6)

- (e) Bill D-16 - By-law to Expropriate lands that do not conform with By-laws passed under Section 39 of The Planning Act, R.S.O. 1980, Chapter 379
- (f) Bill D-17 - By-law to Amend Zoning By-law No. 6593 respecting land located at Municipal No. 634 Rymal Road West
- (g) Bill D-18 - By-law to Amend Zoning By-law No. 6593 respecting land located on the west side of Gafney Drive in the area south of Gemini Drive (Block 3)

Respectfully submitted,

December 15 and 20, 1982
JDT:bg

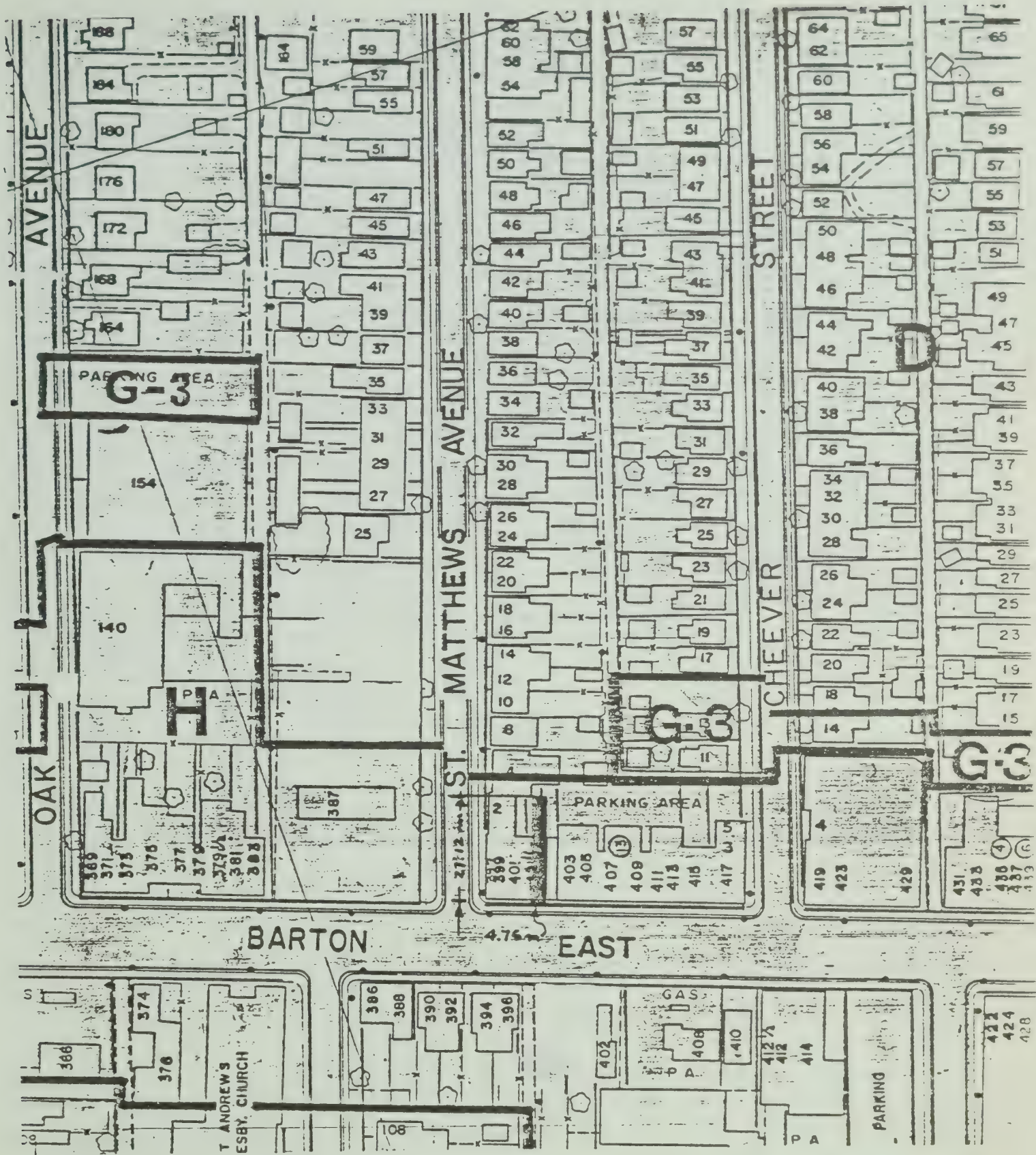
Alderman W. M. McCulloch, Chairman
Planning and Development Committee



APPENDIX "A"

RYMAL ROAD

APPENDIX "A"



BARTON EAST

LEGEND



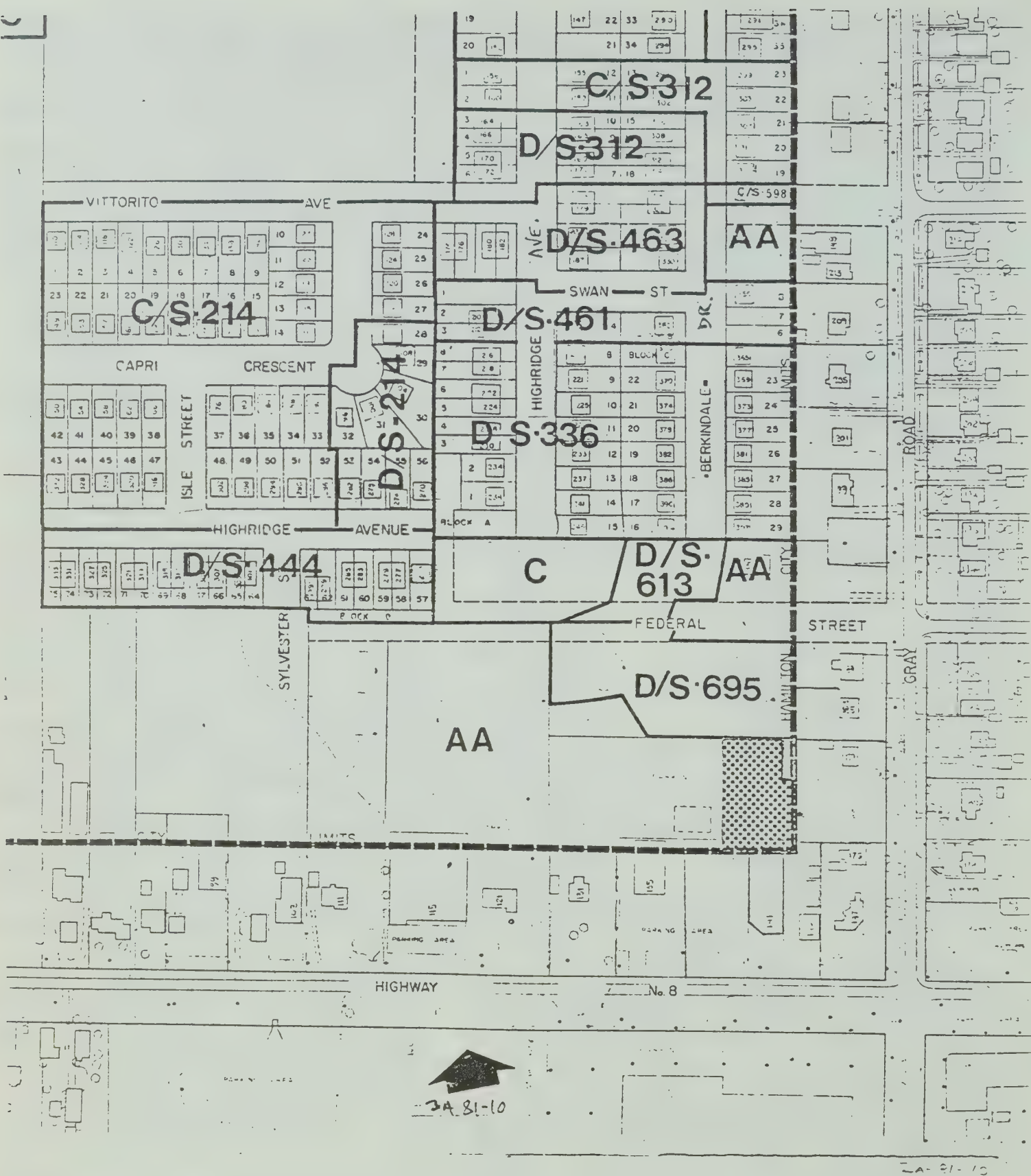
SITE OF THE APPLICATION

24 50-15
E-12

APPENDIX "B"

APPENDIX "B"

D-13



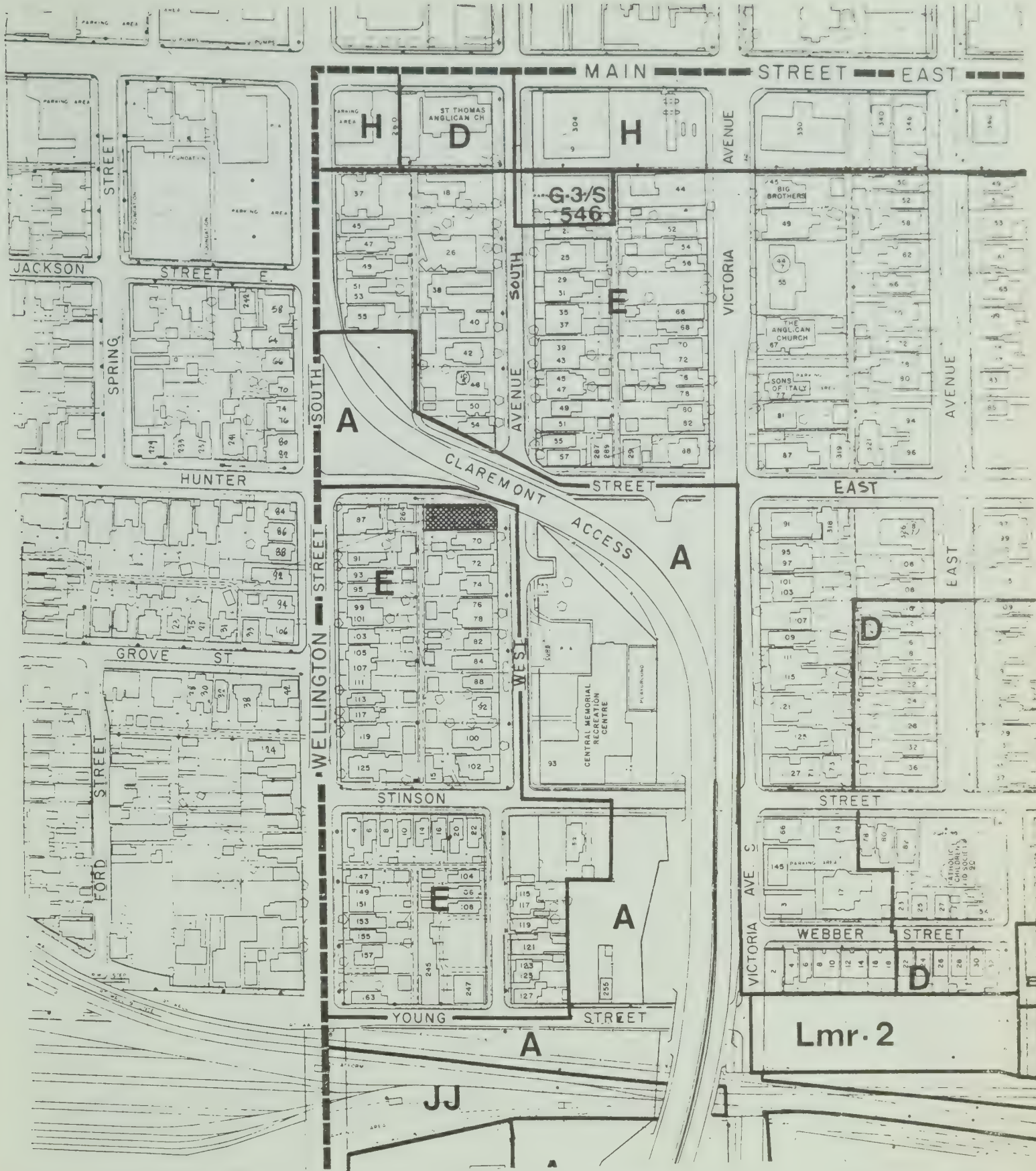
APPENDIX "C"



Lands for which a change in zoning from "AA" (Agricultural" District to "G-3" (Public Parking Lots) District is proposed.

LEGEND

APPENDIX "C"



LEGEND

Location of No. 60 West Avenue South.

D-15

APPENDIX "D"

APPENDIX "D"

2450-20

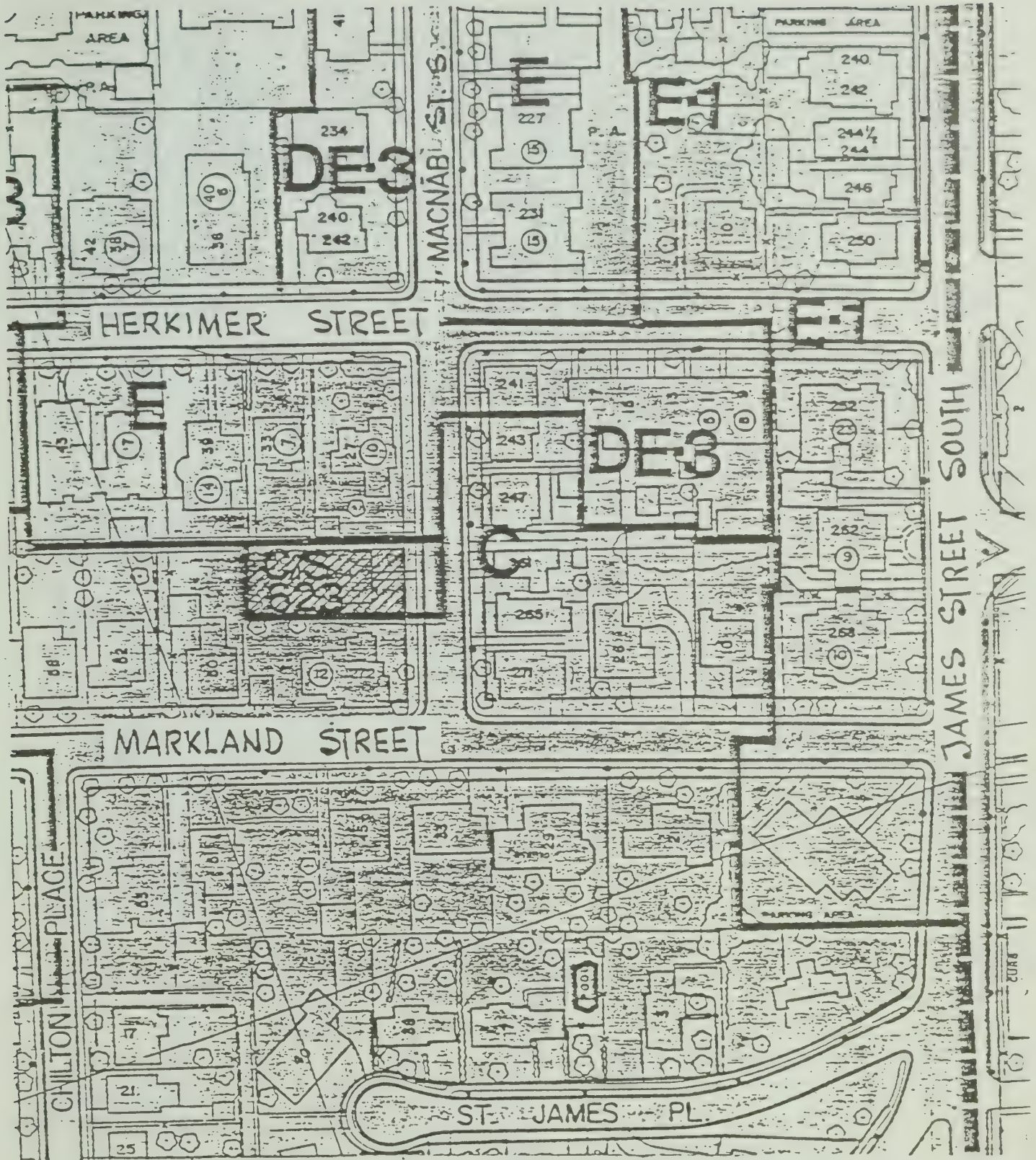


APPENDIX "E"

D-16

SITE OF THE APPLICATION

APPENDIX "E"



LEGEND.



SITE OF THE APPLICATION

APPENDIX "F"

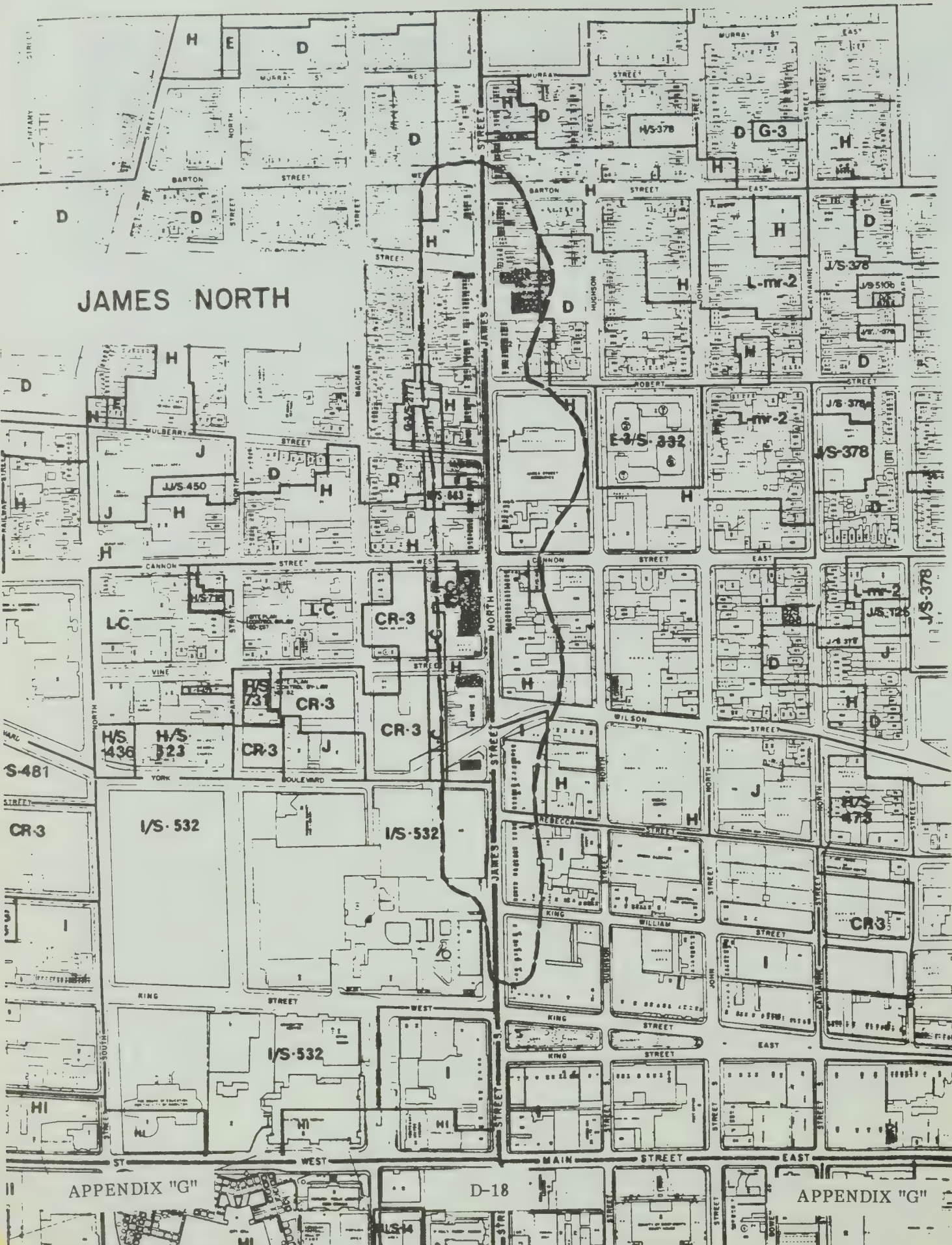
D-17



24 92-43

APPENDIX "F" W-C

JAMES NORTH



APPENDIX "G"

D-18

APPENDIX "G"

REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its **THIRD** Report and respectfully recommends:

1. That the following **resolutions** be endorsed:-

(a) **City of Hamilton**

WHEREAS 114,757, or 51.33 percent of the eligible voters in the City of Hamilton, voted at the Municipal Elections held on November 8, 1982, and

WHEREAS 71,410, or 62.23 percent of those who voted chose to answer the following question on global nuclear disarmament which appeared on the ballot and 43,347, or 37.77 percent of those who voted chose not to answer the question, and

WHEREAS 51,354, or 71.91 percent of those who voted in the City of Hamilton chose to support a path of global nuclear disarmament by voting "yes", and 20,056, or 28.09 percent of those who voted chose not to support nuclear disarmament by voting "no" to the following question:-

Do you support GENERAL NUCLEAR DISARMAMENT and mandate the Government of Canada to negotiate and implement, with other governments, the balanced steps that would lead to the earliest possible achievement of this goal?

THEREFORE BE IT RESOLVED that the Council of the City of Hamilton request the Prime Minister and the Federal Government of Canada to undertake the following steps:

1. the presentation of the Hamilton ballot results and the other 131 such plebiscites undertaken across Canada to the House of Commons;
2. the sponsorship by Canada at the United Nations of a resolution calling for a global referendum on nuclear disarmament so that more people around the world can express their desire for meaningful disarmament negotiations to start.

(b) **City of Hamilton**

WHEREAS nuclear war threatens the survival of the planet, and

WHEREAS in addition to being instruments of extraordinary destruction, nuclear weapons have become a primary, if primitive, means of communication between the two super-powers, and

WHEREAS the production of the Cruise Missile by the United States of America must be seen not only as escalating the offensiveness of nuclear weapons, but escalating their potential proliferation as well, and

WHEREAS the Government of Canada should reject all involvement with the Cruise Missile by not entering into any agreement with the United States of America to provide testing facilities for the Cruise Missile,

NOW THEREFORE BE IT RESOLVED that City Council petition the Prime Minister and the Federal Government of Canada to undertake the cessation of Cruise Missile testing in Canada so that we are not a party to any further build-up of nuclear weapons,

AND that copies of this resolution be circulated to all other municipalities in Ontario for support.

2. That the City Clerk be authorized and directed to implement a recording procedure for the mailings of the Members of City Council as a mechanism to determine the total amount of mail sent out by Members of City Council.
3. That leave be granted to introduce the following Bills:-
 - (a) Bill E-3 - By-law to Amend Licensing By-law No. 79-323 respecting Cab Fares
 - (b) Bill E-4 - By-law to confirm proceedings of the Council of the Corporation of the City of Hamilton

Respectfully submitted,

John D. Thompson, Secretary
January 4, 1983

ALDERMAN V. J. AGRO
CHAIRMAN

REPORT OF THE PERSONNEL COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:-

The Personnel Committee presents its **SECOND** Report for 1983 and respectfully recommends -

1. Approval of the following purchase:-

LANGLEY PARISIAN, Hamilton

To dry clean uniforms and shirts for the Hamilton Fire Department for 1983, 1984 and 1985 in accordance with specifications issued by the Director of Purchasing and Vendor's Tender at the following prices per cleaning:

	<u>1983</u>	<u>1984</u>	<u>1985</u>
Trousers	\$0.95	\$1.00	\$1.05
Tunics	.95	1.00	1.05
Raincoats	2.25	2.35	2.45
Parkas	2.25	2.35	2.45
Shirts	.47	.49	.51
Skirts	.95	1.00	1.05
Slacks	.95	1.00	1.05

Note: Lowest of three tenders received.

2. Approval of the appointments and terminations in permanent and temporary service with the Corporation to January 5, 1983, as set out on the list appended hereto.

Respectfully submitted

K. E. Avery, Secretary
January 5, 1983

ALDERMAN P. COWELL
CHAIRMAN

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN PERMANENT SERVICE

REFERRED TO IN SECTION 2 OF
THE SECOND REPORT OF THE
PERSONNEL COMMITTEE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mrs. Carol Beatty	Typist Clerk II	Traffic	replacement for Liza Michtics - resigned	E-2	\$275.73 per week	Dec. 6/82
Mrs. Donna Bennett	Stenographer IV	Community Development	returning to permanent position (was replacing Hazel Milsome - temporarily promoted)	E-2	\$275.73 per week	Nov. 29/82
Mrs. Dolores Gugler	Educational Assistant	Dundurn Castle Division of Culture and Recreation	replacement for Lana Gris - resigned	107	\$13,963.56 per annum	Nov. 22/82
Mr. Michael MacNeil	Labourer	Cemetery Division of Public Works	returning to former position as per his request	D-5	\$9.300 per hour	Dec. 13/82
Mrs. Dolores McPhail	Clerk Typist I	Treasury	replacement for Lynn Smith - transferred	E-3	\$296.12 per week	Nov. 22/82
Mrs. Hazel Milsome	Housing Loans Clerk	Community Development	returning to permanent position (was replacing Patty Lister - on maternity leave)	E-5	\$308.89 per week	Nov. 29/82
Mr. Pat Speziale	Rodman	City Engineer's	returning to his normal position for winter season (employee rotates each spring and fall)	A-2	\$319.11 per week	Dec. 6/82

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. James Boyd	Captain	Fire	retirement	32 years & 9 months	Dec. 31/82
Mr. John Fisher	Firefighter I	Fire	retirement	35 years & 7 months	Dec. 31/82
Mr. William Gill	Assistant Deputy Chief	Fire	retirement	36 years & 11 months	Dec. 31/82
Mr. James Kavanagh	Lieutenant	Fire	retirement	36 years & 1 month	Dec. 31/82
Mr. Milton Kindree	Firefighter I	Fire	retirement	36 years & 11 months	Dec. 31/82
Mr. James McEntee	Captain	Fire	retirement	36 years & 4 months	Dec. 31/82
Mr. Jack Speziale	Attendant I	Property Mtce. Division of Real Estate	retirement	5 years & 4 months	Dec. 31/82

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Miss Martha Durate	Typist Clerk II (temporary)	Purchasing Division of Treasury	temporary additional staff	E-2	\$254.56 per week	Nov. 19/82
Mr. Paul Gadoury	Journeyman Carpenter (temporary)	Property Mtce. Division of Real Estate	temporary additional staff	n/a	\$16.380 per hour	Nov. 22/82
Miss Anna Latoszek	Curator (temporary)	Dundurn Castle Division of Culture and Recreation	replacement for Marjorie Johnston-Denton - on maternity leave	111	\$19,180.20 per annum	Nov. 22/82
Mr. James Beddome	Cashier (temp./part-time)	Culture and Recreation	seasonal staff	n/a	\$3.750 per hour	Nov. 8/82
Mrs. Mary Paweska	Cashier (temp./part-time)	Culture and Recreation	replacement for William Schnell - transferred	n/a	\$3.750 per hour	Dec. 13/82
Miss Michelle Dion	Checker (temp./part-time)	Culture and Recreation	seasonal staff	n/a	\$3.500 per hour	Oct. 6/82
Mr. Alexander Greychuk	Checker (temp./part-time)	Culture and Recreation	replacement for Jeff McGill - resigned	n/a	\$3.500 per hour	Nov. 11/82
Mr. Scott Ridehalgh	Checker (temp./part-time)	Culture and Recreation	replacement for David Dawson - resigned	n/a	\$3.500 per hour	Nov. 15/82
Mr. William Schnell	Checker (temp./part-time)	Culture and Recreation	replacement for Steve Goddard - resigned	n/a	\$3.500 per hour	Dec. 13/82

January 5, 1983

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Cameron Gallagher	Community Sports Organizer (temp./part-time)	Culture and Recreation	seasonal staff	n/a	\$3.500 per hour	Nov. 1/82
Mrs. Connie MacPherson	Community Sports Organizer (temp./part-time)	Culture and Recreation	replacement for Angela Balogh - terminated	n/a	\$3.500 per hour	Nov. 29/82
Mr. Yvan Poulin	Community Sports Organizer (temp./part-time)	Culture and Recreation*	replacement for Claudio Tessari - terminated	n/a	\$3.500 per hour	Dec. 13/82
Miss Enza Bonanno	Historical Interpreter (temp./part-time)	Dundurn Castle Division of Culture and Recreation	seasonal staff	n/a	\$4.600 per hour	Dec. 13/82
Mrs. Nancy Kuzmich	Historical Interpreter (temp./part-time)	Dundurn Castle Division of Culture and Recreation	replacement for Esther Mikolajewski - resigned	n/a	\$4.600 per hour	Nov. 22/82
Mr. Nick Caruso	Rink Attendant (temporary)	Culture and Recreation	seasonal staff (permanent employee doing temporary job)	D-5	\$9.300 per hour	Nov. 22/82
Mr. James Dean	Rink Attendant (temporary)	Culture and Recreation	seasonal staff (permanent employee doing temporary job)	D-5	\$9.300 per hour	Nov. 22/82
Mr. Larry Fair	Rink Attendant (temporary)	Culture and Recreation	seasonal staff (permanent employee doing temporary job)	D-5	\$9.300 per hour	Nov. 22/82

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Henry Hines	Rink Attendant (temporary)	Culture and Recreation	seasonal staff (permanent employee doing temporary job)	D-5	\$9.300 per hour	Nov. 22/82
Mr. Milorad Josic	Rink Attendant (temporary)	Culture and Recreation	seasonal staff (permanent employee doing temporary job)	D-5	\$9.300 per hour	Nov. 22/82
Mr. Leonard Rothwell	Painter (temporary)	Property Mtce. Division of Real Estate	Ontario Employment Incentive Program	n/a	\$15.540 per hour	Dec. 9/82
Mr. Carmine Spadafora	Painter (temporary)	Property Mtce. Division of Real Estate	Ontario Employment Incentive Program	n/a	\$15.540 per hour	Dec. 9/82
Mr. William Wolfe	Painter (temporary)	Property Mtce. Division of Real Estate	Ontario Employment Incentive Program	n/a	\$15.540 per hour	Dec. 9/82

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Miss Martha Duarte	Terminal Operator - O.E.I.P. (temporary)	Purchasing Division of Treasury	termination	3 1/2 months	Nov. 18/82
Mr. Paul Gadoury	Journeyman Carpenter (temporary)	Property Mtce. Division of Real Estate	termination	2 months	Nov. 19/82
Mrs. Jean McDavid	Adult Fitness Instructor (temp./part-time)	Culture and Recreation	resigned	1 year & 11 months	Dec. 9/82
Mr. Mike Moore	Serviceman - O.E.I.P. (temporary)	Traffic	resignation	3 months	Oct. 27/82
Miss Michelle Dion	Checker (temp./part-time)	Culture and Recreation	termination	1 month	Nov. 3/82
Mr. Steve Goddard	Checker (temp./part-time)	Culture and Recreation	termination	4 months	Dec. 9/82
Mr. Alexander Greychuk	Checker (temp./part-time)	Culture and Recreation	resignation	2 weeks	Nov. 29/82
Miss Angela Balogh	Community Sports Organizer (temp./part-time)	Culture and Recreation	termination	1 month	Nov. 16/82
Miss Lori-anne Pardiac	Community Sports Organizer (temp./part-time)	Culture and Recreation	resignation	2 months	Dec. 11/82

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Claudio Tessari	Community Sports Organizer (temp./part-time)	Culture and Recreation	termination	1 month	Nov. 29/82
Mr. Derek Collins	Monitor (temp./part-time)	Culture and Recreation	termination	4 months	Nov. 6/82
Mr. John Segree	Monitor (temp./part-time)	Culture and Recreation	termination	7 months	Nov. 26/82
Mr. Franco Simioni	Monitor (temp./part-time)	Culture and Recreation	termination	6 months	Nov. 7/82
Mr. William Tubbs	Monitor (temp./part-time)	Culture and Recreation	termination	6 months	Oct. 17/82
Mr. John Upton	Monitor (temp./part-time)	Culture and Recreation	termination	8 months	Nov. 23/82
Miss Mary-Jo Dunn	Red Cross Instructor (temp./part-time)	Culture and Recreation	resignation	1 year & 2 months	Nov. 11/82
Mr. Mark Gee	Red Cross Instructor (temp./part-time)	Culture and Recreation	resignation	2 months	Nov. 14/82
Miss Heather McConnell	Red Cross Instructor (temp./part-time)	Culture and Recreation	resignation	2 1/2 months	Dec. 15/82
Mr. Kevin Tobias	Red Cross Instructor (temp./part-time)	Culture and Recreation	resignation	3 months	Dec. 12/82

January 5, 1983

The Corporation of the City of Hamilton

BY-LAW NO. 83-

Respecting:

DEVELOPMENT AND IMPROVEMENT IN THE
McQUESTEN EAST AND WEST NEIGHBOURHOODS

WHEREAS the Ontario Municipal Board by Order dated
the 7th day of December, 1982, (File No. E 821260) approved,

- (a) park and recreation development and street and sidewalk improvement in the McQuesten East and West Neighbourhoods under the Ontario Neighbourhood Improvement Program at an estimated cost of \$500,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures as set out below by The Regional Municipality of Hamilton-Wentworth, chargeable to the applicant corporation.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The said undertaking may now be proceeded with and The Regional Municipality of Hamilton-Wentworth is authorized to issue debentures therefor not exceeding \$250,000.00 and not to exceed the net cost of such undertaking to The Corporation of the City of Hamilton, for a term not to exceed twenty years.

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this

day of

A.D. 1983.

City Clerk

Mayor

(1982) 15 R.F.C. 12, August 31

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Authorize:

REPLACEMENT OF DESTROYED DEBENTURE

WHEREAS Section 184 of The Municipal Act, R.S.O. 1980, Chapter 302 provides as follows:

184. Where a debenture is defaced, lost or destroyed, the council may by by-law provide for the replacing of the debenture on the payment of such fee and on such terms as to evidence and indemnity as the by-law may provide;

AND WHEREAS Margaret J. Ritchie has filed a Statutory Declaration made on the 3rd day of November, 1982 to the effect that her married name was Margaret J. Allen and that she owned a registered \$1,000.00 City of Hamilton Debenture which was accidentally destroyed by fire;

AND WHEREAS W. H. McFarland, City Treasurer and Commissioner of Finance, by Statutory Declaration made on the 19th day of November, 1982, declared to the effect that he has caused to be made a search of the Debenture Register Book and payment records and has determined that Debenture No. 188911 in the principal amount of \$1,000.00 issued under By-law No. 73-125 and maturing on May 1, 1990 was issued to Margaret J. Allen and that the said Debenture has not been presented for payment and that it is reasonable to assume that the said Debenture is the same as the Debenture that was declared by Margaret J. Ritchie as having been destroyed by fire.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The City Treasurer and Commissioner of Finance is hereby authorized to arrange for the replacement of Debenture No. 188911 in the principal amount of \$1,000.00,

- (a) the owner having lodged a Statutory Declaration as aforesaid; and
- (b) the City Treasurer and Commissioner of Finance having made a Statutory Declaration as aforesaid; and
- (c) a bond of indemnity in the amount of \$1,000.00 having been lodged with the City of Hamilton.

2. It is hereby authorized and directed that all proper officials of The Corporation of the City of Hamilton do all things as may be necessary to give effect to this by-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1982) 1 R.F.C. 23, December 14

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Authorize:

DEMOLITION AND CLEARING OF
BUILDINGS, STRUCTURES, DEBRIS OR REFUSE AT

47 FLORENCE STREET

WHEREAS a Notice dated the 18th day of May, 1982 was served or caused to be served in accordance with Subsection 6 of Section 43 of The Planning Act, R.S.O. 1980, Chapter 379 formerly Section 36 of The Planning Act, R.S.O. 1970, Chapter 349;

AND WHEREAS an Order dated the 25th day of June, 1982 was served or caused to be served in accordance with Subsection 7 of Section 43 of the said Act;

AND WHEREAS an appeal has been made from the said Order in accordance with Subsection 17 of Section 43 of the said Act;

AND WHEREAS a hearing was held on the 26th day of August, 1982 by the Property Standards Committee in accordance with Subsection 11 of Section 43 of the said Act;

AND WHEREAS the Property Standards Committee confirmed the Order in accordance with Subsection 18 of Section 43 of the said Act;

AND WHEREAS no appeal has been lodged with a Judge of the Judicial District pursuant to Subsection 19 of Section 43 of the said Act;

AND WHEREAS the Order is now deemed to be final and binding pursuant to Subsection 20 of Section 43 of the said Act;

AND WHEREAS the buildings and structures situate on the land more particularly described in Schedule "A" have not been repaired or demolished and the site cleared as required by the said Order;

AND WHEREAS the said buildings and structures are not in conformity with the standards prescribed in The Property Standards By-Law No. 74-74 and are in a ruinous and deteriorated condition;

AND WHEREAS in accordance with Section 21 of the said Act the Corporation has the right to demolish or repair the property in the event that the Order has not been complied with;

AND WHEREAS it is desirable to demolish the buildings and structures and to clear the site in order to secure the health, welfare and safety of the inhabitants of the area;

AND WHEREAS pursuant to Clause (c) of Section 36 of The Property Standards By-Law No. 74-74, as amended, the final amount expended by the City to demolish the buildings, together with interest, is a lien against the property in respect of which the amount was expended and the certificate of the City Clerk as to such amount is final and such amount is deemed to be taxes and may be added to the collector's roll to be collected in the same manner as municipal taxes.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Building Commissioner is hereby authorized and directed to provide for the demolition and clearing of all buildings, structures, debris or refuse on the land more particularly described in Schedule "A", and to leave the land in a graded and levelled condition.
2. It is hereby authorized and directed that the amount expended for the work done shall be added to the collector's roll and shall be collected in the same manner as municipal taxes.

PASSED this day of A.D. 1983.

CITY CLERK

MAYOR

(1982) 1 R.P.D.C. 6, December 14

SCHEDULE "A"

To By-law NO. 82-

Municipal Address: 47 Florence Street, Hamilton

All and Singular that certain parcel or tract of land and premises situate, lying and being
in the City of Hamilton, in the Regional Municipality of Hamilton- ~~Wentworth County~~
Wentworth, in the Province of Ontario.

Being composed of part of Lot Number Two and part of Lot Number Eight in the block
bounded by Florence, Pearl, Peter and Locke Streets in James Mill's Survey in
the City of Hamilton,

and which may be more particularly described as follows, that is to say, Commencing at a point in
the southern limit of Florence Street where it is intersected by the production
northerly of the centre line of the party wall separating the semi-detached
frame dwelling erected upon the lands herein described and known as Number 47
Florence Street from the semi-detached frame dwelling erected upon the lands
immediately adjoining on the west and known as Number 49 Florence Street, the
said point being distant one hundred and seventy-five feet and three inches
(175' 3") measured westerly along the southern limit of Florence Street from
the western limit of Pearl Street.

THENCE southerly to and along the centre line of the party wall
dividing the aforesaid semi-detached dwellings known as Numbers 47 and 49
Florence Street, along the centre line of the partition wall of frame additions
in the rear of said dwellings, and along the centre line of the partition wall
of the frame sheds erected in the rear of the frame additions, to a point in
the southern face of the southern wall of the frame shed, the said point being
distant fifty-seven feet and ten inches (57' 10") measured southerly in a
straight line from the place of beginning on Florence Street, and being also
distant one hundred and eighty-one feet and four inches (181' 4") measured
westerly parallel with the southern limit of Florence Street from the western
limit of Pearl Street.

THENCE southerly parallel with the western limit of Pearl Street,
eighty-six feet (86') ^{more or less} to a point in the line of a present existing fence marking
the southern limit of the herein described parcel of land.

THENCE easterly along the line of the last mentioned present
existing fence, twenty-four feet (24') more or less to a point of intersection
with another present existing fence, the said point being distant one hundred and
fifty-seven feet and three inches (157' 3") measured westerly parallel with the
southern limit of Florence Street from the western limit of Pearl Street.

THENCE northerly along the line of the aforesaid present existing fence, one hundred and seven feet (107') more or less to a point in the northern limit thereof, the said point being distant one hundred and fifty-eight feet and six inches (158' 6") measured westerly parallel with the southern limit of Florence Street from the western limit of Pearl Street.

THENCE northerly in a straight line, thirty-five feet and six inches (35' 6") to a point in the southern limit of Florence Street, which is distant twenty feet and five inches (20' 5") measured easterly along the southern limit of Florence Street from the place of beginning.

THENCE westerly along the southern limit of Florence Street, twenty feet and five inches (20' 5") to the place of beginning.

On the above described parcel of land is erected semi-detached frame dwelling known as Number 47 Florence Street.

TOGETHER WITH THE RIGHT to pass over, along and upon and use as a right-of-way, that part of the lands immediately adjoining on the east of the aforesaid Lot Number Eight, and which may be more particularly described as follows, that is to say:-

COMMENCING at the north-eastern angle of the herein described parcel of land.

THENCE southerly along the eastern limit of the said parcel of land, thirty-five feet and six inches (35' 6") to a point in the line of a present existing fence.

THENCE north-easterly in a straight line to the south-western angle of a stucco dwelling erected upon the lands immediately adjoining on the east, the said angle being distant one foot and eight and three-quarter inches (1' 8 $\frac{3}{4}$ ") measured easterly at right angles to the eastern limit of the hereinbefore described parcel of land.

THENCE northerly along the western face of the western wall of the said stucco dwelling and the production of the line thereof northerly, thirty-two feet and seven and one-half inches (32' 7 $\frac{1}{2}$ ") more or less to a point in the southern limit of Florence Street.

THENCE westerly along the southern limit of Florence Street, one foot and eight and three-quarter inches (1' 8 $\frac{3}{4}$ ") more or less to the place of beginning.

SUBJECT TO THE RIGHT of the owners, tenants and occupants of the stucco dwelling erected upon the lands immediately adjoining on the east and known as Number 45 Florence Street to pass over, along and upon and use as a right-of-way that part of the herein described parcel of land which may be more particularly described as follows, that is to say:-

COMMENCING at the north-eastern angle of the herein described parcel of land.

THENCE southerly along the eastern limit of the said parcel, thirty-five feet and six inches (35' 6") more or less to a point in the line of a present existing fence.

THENCE north-westerly in a straight line to the south-eastern angle of the frame dwelling erected upon the herein described parcel of land and known as Number 47 Florence Street, the said point being distant two feet and two inches (2' 2") measured westerly at right angles from the eastern limit of the herein described parcel.

THENCE northerly along the eastern face of the eastern wall of the aforesaid frame dwelling and the production of the line thereof northerly, thirty-two feet and nine inches (32' 9") more or less to a point in the southern limit of Florence Street.

THENCE easterly along the southern limit of Florence Street, two feet and two inches (2' 2") more or less to the place of beginning.

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Authorize:

DEMOLITION AND CLEARING OF
BUILDINGS, STRUCTURES, DEBRIS OR REFUSE AT

49 FLORENCE STREET

WHEREAS a Notice dated the 18th day of May, 1982 was served or caused to be served in accordance with Subsection 6 of Section 43 of The Planning Act, R.S.O. 1980, Chapter 379 formerly Section 36 of The Planning Act, R.S.O. 1970, Chapter 349;

AND WHEREAS an Order dated the 25th day of June, 1982 was served or caused to be served in accordance with Subsection 7 of Section 43 of the said Act;

AND WHEREAS an appeal has been made from the said Order in accordance with Subsection 17 of Section 43 of the said Act;

AND WHEREAS a hearing was held on the 26th day of August, 1982 by the Property Standards Committee in accordance with Subsection 11 of Section 43 of the said Act;

AND WHEREAS the Property Standards Committee confirmed the Order in accordance with Subsection 18 of Section 43 of the said Act;

AND WHEREAS no appeal has been lodged with a Judge of the Judicial District pursuant to Subsection 19 of Section 43 of the said Act;

AND WHEREAS the Order is now deemed to be final and binding pursuant to Subsection 20 of Section 43 of the said Act;

AND WHEREAS the buildings and structures situate on the land more particularly described in Schedule "A" have not been repaired or demolished and the site cleared as required by the said Order;

AND WHEREAS the said buildings and structures are not in conformity with the standards prescribed in The Property Standards By-Law No. 74-74 and are in a ruinous and deteriorated condition;

AND WHEREAS in accordance with Section 21 of the said Act the Corporation has the right to demolish or repair the property in the event that the Order has not been complied with;

AND WHEREAS it is desirable to demolish the buildings and structures and to clear the site in order to secure the health, welfare and safety of the inhabitants of the area;

AND WHEREAS pursuant to Clause (c) of Section 36 of The Property Standards By-Law No. 74-74, as amended, the final amount expended by the City to demolish the buildings, together with interest, is a lien against the property in respect of which the amount was expended and the certificate of the City Clerk as to such amount is final and such amount is deemed to be taxes and may be added to the collector's roll to be collected in the same manner as municipal taxes.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Building Commissioner is hereby authorized and directed to provide for the demolition and clearing of all buildings, structures, debris or refuse on the land more particularly described in Schedule "A", and to leave the land in a graded and levelled condition.

2. It is hereby authorized and directed that the amount expended for the work done shall be added to the collector's roll and shall be collected in the same manner as municipal taxes.

PASSED this day of A.D. 1983.

CITY CLERK

MAYOR

(1982) 1 R.P.D.C. 7, December 14

SCHEDULE "A"

To By-law No. 82-

Municipal Address: 49 Florence Street, Hamilton

All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Hamilton and Regional Municipality of Hamilton-Wentworth in the Province of Ontario being composed of part of lot number two (2) and part of lot number eight (8) in the Block bounded by Florence, Pearl, Peter and Locke Streets in James Mill Survey, in the City of Hamilton, and which parcel or tract of land may be more particularly described as follows being in Block 4, Range 3, Part Lot 8;

Commencing at a point in the southern limit of Florence Street, where it is intersected by the production northerly of the centre line of the wall dividing a semi-detached frame dwelling erected upon the herein described parcel of land and known as Municipal Number 49 Florence Street, from the semi-detached frame dwelling erected upon the lands immediately adjoining on the east and known as Municipal Number 47 Florence Street, the said point being distant one hundred and seventy-five feet and three inches (175'3") measured westerly along the southern limit of Florence Street from the western limit of Pearl Street;

Thence southerly to and along the said centre line of the party wall dividing the aforesaid semi-detached dwellings known as Municipal Numbers 47 and 49 Florence Street, and along the centre line of the partition wall of the frame additions erected in the rear of the frame additions to a point in the southern face of the southern wall of the frame shed, the said point being distant fifty-seven feet and ten inches (57'10") measured southerly in a straight line from the point of commencement, and being also distant one hundred and eighty-one feet and four inches (181'4") measured westerly parallel with the southern limit of Florence Street from the western limit of Pearl Street;

Thence southerly parallel with the western limit of Pearl Street eighty-six feet (86'0") more or less to a point in a line of a present existing fence marking the southern limit of the herein described parcel of land;

Thence westerly along the line of the said present existing fence twenty-one feet and five inches (21'5") more or less to a point of intersection with another present existing fence running in a northerly direction and marking the western limit of the herein described parcel of land;

Thence northerly along the line of the last mentioned present existing fence and the production thereof northerly one hundred and forty-five feet and three inches (145'3") more or less to a point in the southern limit of Florence Street;

Thence easterly along the southern limit of Florence Street twenty-four feet and eight inches (24'8") more or less to the point of commencement.

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED IN THE AREA EAST OF UPPER PARADISE ROAD, NORTH OF
STONE CHURCH ROAD WEST AND SOUTH OF GARDINER DRIVE AND GEMINI DRIVE
(BLOCKS 1,2,7)

WHEREAS By-law No. 79-165, passed on the 29th day of May, 1979 and approved by the Ontario Municipal Board on the 24th day of July, 1979, (File No. R 792550) rezoned the land shown on schedule "A" thereto from "RT-10" (Townhouse) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district and established special requirements applicable to the said land;

AND WHEREAS By-law No. 81-96, passed on the 31st day of March, 1981, and approved by the Ontario Municipal Board on the 23rd day of July, 1981, (File No. R 811100) established special requirements on certain lands to the east of the lands shown on schedule "A" to By-law No. 79-165;

AND WHEREAS Block 7 shown on schedule "A" to this by-law is included in the lands shown on schedule "A" to By-law No. 79-165;

AND WHEREAS By-law No. 81-296, passed on the 27th day of October 1981 and approved by the Ontario Municipal Board on the 4th day of February, 1982, (File No. R 820055) amended By-law No. 79-165 by providing that the density of development on the land shown on schedule "A" to By-law No. 79-165 shall not exceed one dwelling unit for each 315.50 m² of lot area and to permit the erection of townhouse dwellings;

AND WHEREAS it is intended to delete the land comprised in Block 7 from schedule "A" to By-law No. 79-165 and to include the said land in the land shown on schedule "A" to By-law No. 81-96 so as to provide that the special requirements applicable to the land shown on schedule "A" to By-law No. 81-96 shall apply to the land comprised in Block 7;

AND WHEREAS it is intended to change the zoning on the lands comprised in Blocks 1 and 2;

AND WHEREAS this By-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-27c of the District Maps, appended to and forming part of By-law No. 6593, is amended

- (a) by changing from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Block 1 and Block 2,

the extent and boundaries of which Blocks are shown on a plan hereto annexed as schedule "A",

- 2. (1) By-law No. 79-165 is amended by deleting from schedule "A" thereto the land comprised in Block 7, the extent and boundaries of which Block are shown on schedule "A" hereto annexed.
- (2) By-law No. 81-96 is amended by adding to schedule "A" thereto the land comprised in the said Block 7.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-737a".

4. Sheet No. W-27c of the District Maps is amended by marking the lands referred to in section 2 of this By-law, "S-737a".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of The Ontario Municipal Board relating to the giving of such notice.

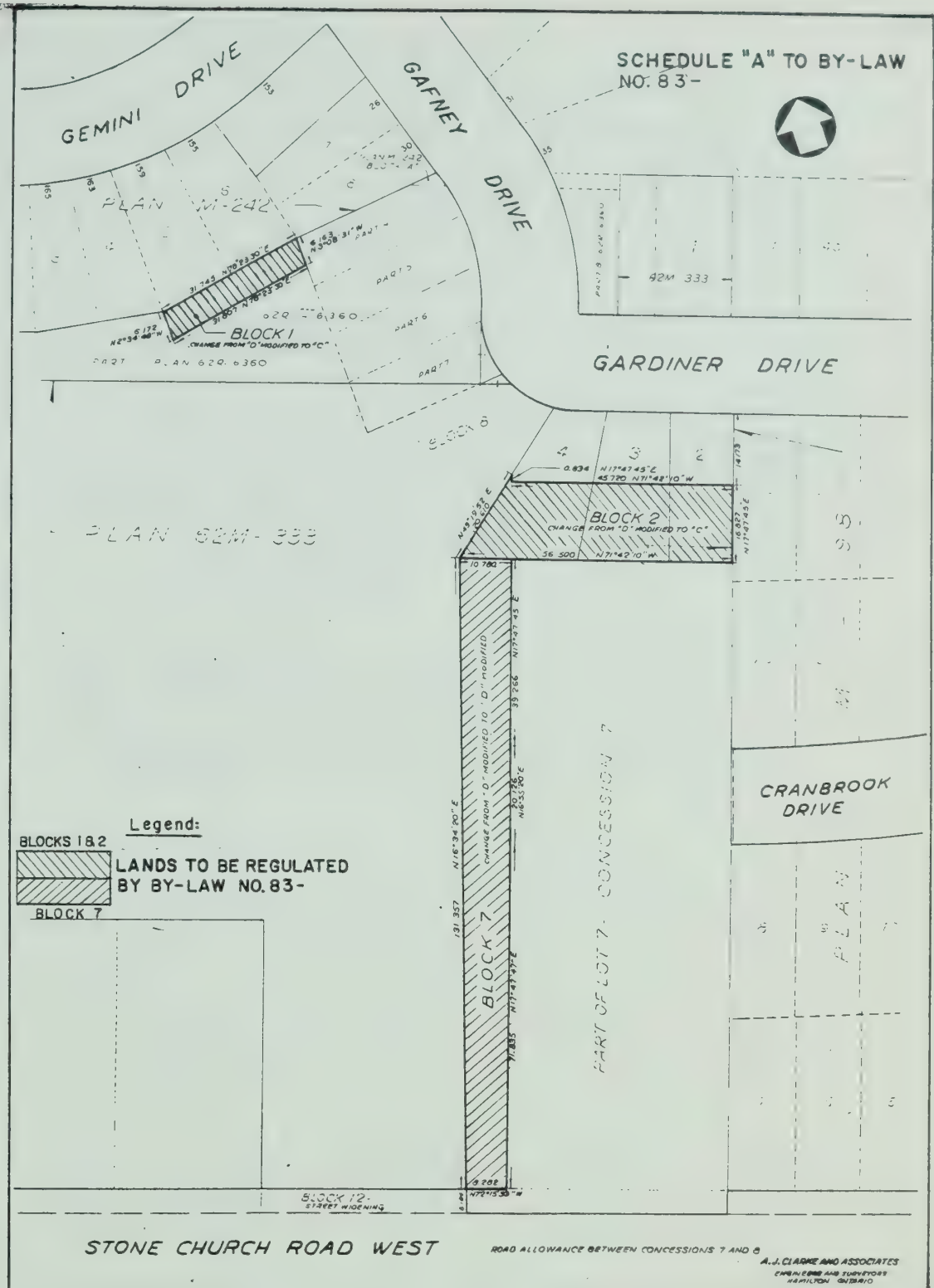
6. The City Solicitor is hereby authorized and directed to make application to The Ontario Municipal Board for the necessary approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1982) 19 R.P.D.C. 3(b)(i)(ii)(vi), October 12
Corad Developments Ltd., Owner
ZA-82-42



Bill No. D-14

This is Schedule "A" to By-law No. 83- passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED IN THE AREA EAST OF UPPER PARADISE ROAD
AND WEST OF GAFNEY DRIVE AND SOUTH OF GARDINER DRIVE
(BLOCKS 4,5,6)

WHEREAS By-law No. 76-262, passed on the 28th day of September, 1976 and approved by the Ontario Municipal Board on the 26th day of May, 1977, (File No. R 763357) rezoned the land shown on schedule "A" thereto and herein-after referred to as Blocks 4 and 5, from "AA" (Agricultural) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district;

AND WHEREAS Block 6 hereinafter referred to is zoned "C" (Urban Protected Residential, etc.) district;

AND WHEREAS By-law No. 79-165, passed on the 29th day of May, 1979 and approved by the Ontario Municipal Board on the 24th day of July, 1979, (File No. R 792550) rezoned the land shown on schedule "A" thereto from "RT-10" (Townhouse) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, and established special requirements applicable to the land shown on schedule "A" thereto;

AND WHEREAS By-law No. 81-296, passed on the 27th day of October, 1981 and approved by the Ontario Municipal Board on the 4th day of February, 1982, (File No. R 820055) amended By-law No. 79-165 by providing that the density of development on the land shown on schedule "A" to By-law No. 79-165 shall not exceed one dwelling unit for each 315.50 m² of lot area and to permit the erection of townhouse dwellings;

AND WHEREAS Blocks 4 and 5 shown on schedule "A" to this by-law are included in the land shown on schedule "A" to By-law No. 76-262;

AND WHEREAS it is intended to delete the land comprised in Blocks 4 and 5 from schedule "A" of By-law No. 76-262 and to include the said land in the land shown on schedule "A" to By-law No. 79-165 as amended by By-law No. 81-296 so as to provide that special requirements applicable to the land shown on schedule "A" to By-law No. 79-165 shall apply to permit townhouse development;

AND WHEREAS it is intended to change the zoning on the land comprised in Block 6 and to include the said land in the land comprised in schedule "A" to By-law No. 79-165 as amended by By-law No. 81-296 so as to provide that special requirements applicable to the land shown on schedule "A" to By-law No. 79-165 shall apply to permit townhouse development;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (1) Sheet No. W-27C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land comprised in Block 6,

the extent and boundaries of which Block are shown on a plan hereto annexed as schedule "A".

(2) By-law No. 79-165 is amended by adding to schedule "A" thereto, the lands comprised in the said Block 6.

(3) No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land comprised in the said Block 6 be used except in accordance with the "D" District provisions, subject to the special requirements referred to in section 2 of By-law No. 79-165, as amended by section 1 of By-law No. 81-296.

2. (1) By-law No. 76-262 is amended by deleting from schedule "A" thereto the land comprised in Blocks 4 and 5, the extent and boundaries of which are shown on schedule "A" hereto annexed.

(2) By-law No. 79-165 is amended by adding to schedule "A" thereto the land comprised in the said Blocks 4 and 5.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-645b".

4. Sheet No. W-27C of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-645b".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this

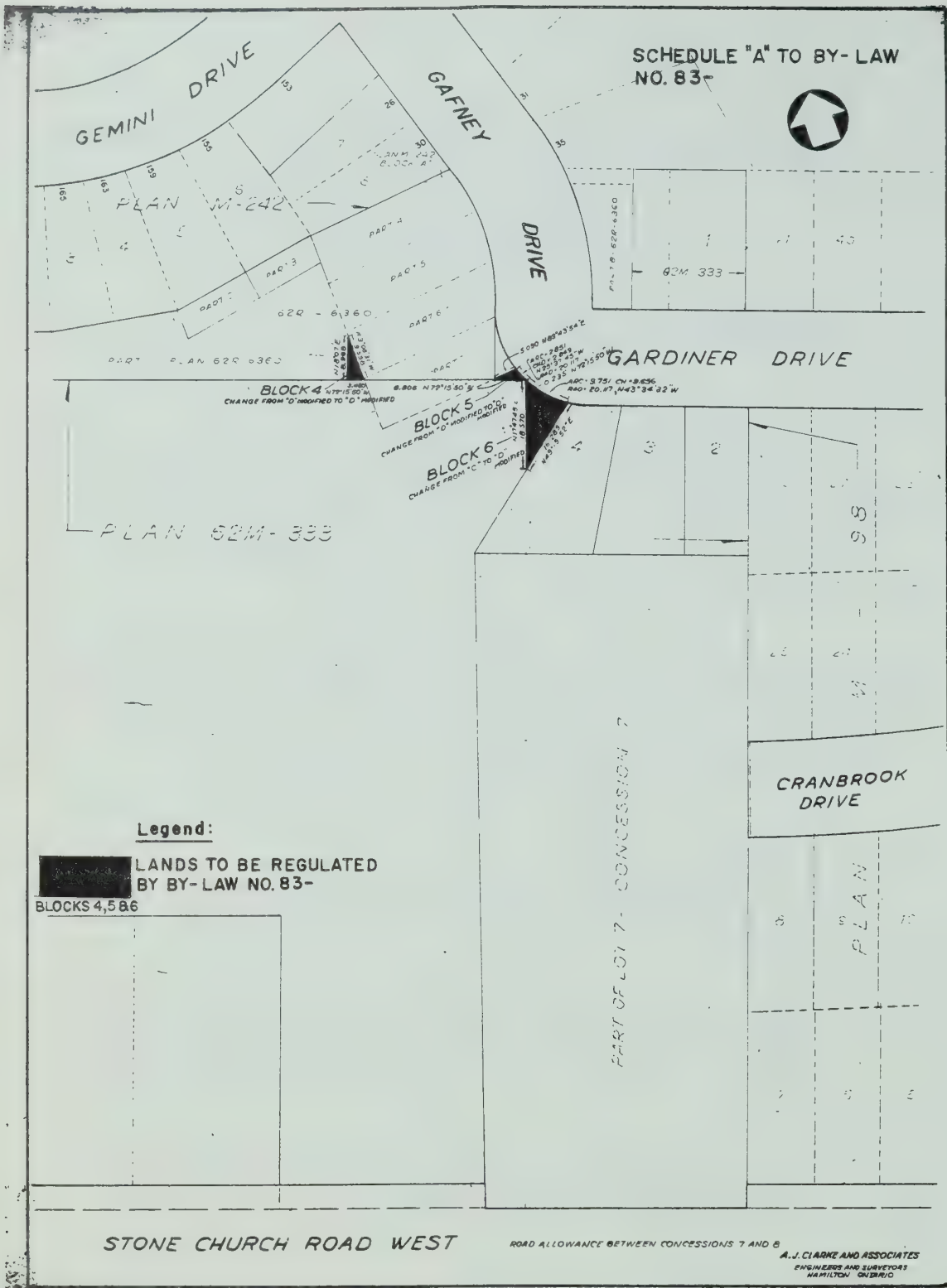
day of

A.D. 1983.

City Clerk

Mayor

(1982) 19 R.P.D.C. 3(b) (iv) (v) (ix), October 12
Stonechurch Co-op, Owner
ZA-82-42



Bill No. D-15

This is Schedule "A" to By-law No. 83- passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 82 -

TO EXPROPRIATE LANDS THAT DO NOT CONFORM
WITH BY-LAWS PASSED UNDER SECTION 39 OF
THE PLANNING ACT, R.S.O. 1980, CHAPTER 379

WHEREAS Section 39, subsection (7) of The Planning Act, R.S.O. 1980, Chapter 379 provides that a municipality may acquire any land, building or structure used or erected for a purpose that does not conform with a by-law passed under Section 39 of The Planning Act;

AND WHEREAS the lands, buildings or structures described and included in the lands described in Schedule "A" below are used or erected for a purpose that do not conform with by-laws passed under Section 39 of The Planning Act;

AND WHEREAS Section 192 of The Municipal Act, R.S.O. 1980, Chapter 302 states that the Council of a municipality may pass by-laws for acquiring or expropriating any land required for the purpose of the Corporation;

AND WHEREAS on June 29, 1982, as amended on July 27, 1982, The Corporation of the City of Hamilton, as an expropriating authority, pursuant to The Expropriations Act, R.S.O. 1980, Chapter 148 did authorize an application to the Council of The Corporation of the City of Hamilton, as approving authority, for approval of the expropriation pursuant to said Section 39, subsection (7), of

- (i) the lands set out in Schedule "A" below, and,
- (ii) properties known municipally as:

768 Burlington Street East, Hamilton
792 Burlington Street East, Hamilton
5 Keele Street, Hamilton
6 Keele Street, Hamilton
7 Keele Street, Hamilton

AND WHEREAS Notices of the said application as required under The Expropriations Act have been duly served in accordance with The Expropriations Act;

AND WHEREAS The Corporation of the City of Hamilton, as expropriating authority, did publish Notice of the said application in The Spectator, a newspaper having general circulation in the City of Hamilton in accordance with the said Expropriations Act;

AND WHEREAS pursuant to the said Expropriations Act, an inquiry hearing to determine if the proposed expropriation was fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority was not requested by owners of the said lands;

AND WHEREAS the said lands set out in paragraph (ii) above have subsequently been acquired by The Corporation of the City of Hamilton by purchase.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. As approving authority under The Expropriations Act, the Council of The Corporation of the City of Hamilton hereby approves the said application to expropriate the lands described in Schedule "A" set out below.
2. As expropriating authority under The Expropriations Act, The Corporation of the City of Hamilton hereby expropriates the lands described in Schedule "A" set out below.

3. That the City Clerk and the proper officers of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to implement and give effect to the provisions of this by-law and this authority shall include the taking of all necessary proceedings to enter and take possession of the lands herein expropriated.

PASSED this day of A.D. 1982.

Mayor

City Clerk

SCHEDULE "A"

ALL AND SINGULAR those certain parcels or tracts of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and which said parcels may be more particularly described as follows:-

FIRST:

Part of Lots 4 & 5, M. Levy Survey, Registered Plan No. 550, designated as Parts 9 & 10 on Reference Plan 62R-6161, together with a right-of-way over Part 8, 62R-6161 and known as 410 Sherman Avenue North.

SECONDLY:

Part of Lots 2 & 3, M. Levy Survey, Registered Plan No. 550, designated as Parts 5 & 6 on Reference Plan 62R-6161, together with a right-of-way over Part 4, 62R-6161 and known as 414 Sherman Avenue North.

THIRDLY:

Part of Lot 10, M. Levy Survey, Registered Plan No. 550, designated as Parts 19 & 20 on Reference Plan 62R-6161, together with a right-of-way over Part 21, 62R-6161 and known as 760 Burlington Street East.

FOURTHLY:

All of Lot 18, M. Levy Survey, Registered Plan No. 550, designated as Part 36 on Reference Plan 62R-6161 and known as 766 Burlington Street East.

FIFTHLY:

Part of Lots 27 & 28, M. Levy Survey, Registered Plan No. 550, designated as Parts 55 & 56 on Reference Plan 62R-6161, together with a right-of-way over Part 54, 62R-6161 and known as 6 Alpha Street.

SIXTHLY:

Part of Lot 51, M. Levy Survey, Registered Plan No. 550, designated as Part 97 on Reference Plan 62R-6161 and known as 1 Keele Street.

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 634 RYMAL ROAD WEST

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "AA" (Agricultural) district provisions applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following special requirement that,

(a) Notwithstanding section 7A(1) of By-law No. 6593, the following,

(i) INSTITUTIONAL USE shall be permitted:

1. A Day Nursery within the existing building for the accommodation of not more than 125 children.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "AA" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-807".

4. Sheets Nos. W-27D and W-27E of the District Maps are amended by marking the land referred to in section 1 of this by-law, "S-807".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

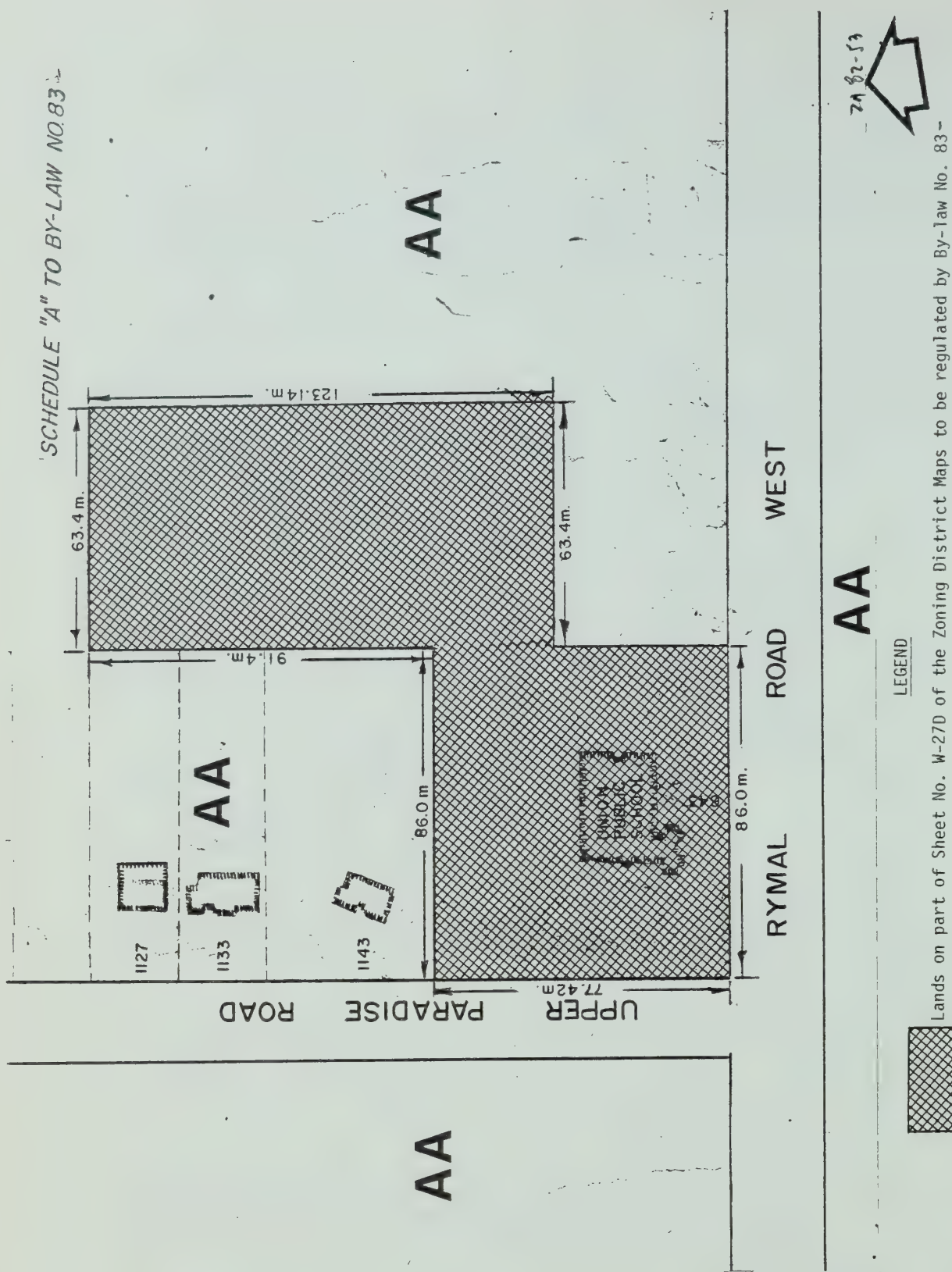
6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 2 R.P.D.C. 1, January 11
Ontario Public Service Employees Union, Applicant
ZA-82-53



Bill No. D-17

This is Schedule "A" to By-law No. 83- passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE WEST SIDE OF GAFNEY DRIVE,
IN THE AREA SOUTH OF GEMINI DRIVE
(BLOCK 3)

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950, and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-27C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, to "R-4" (Small Lot Single Family Detached) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "R-4" (Small Lot Single Family Detached) district provisions applicable to the lands referred to in section 1, are amended to the extent only of the following special requirements:

- 1. Section 9A(2)(b)(iii) of By-law No. 6593 shall not apply.
- 2. The provisions of section 9A(2)(c) of By-law No. 6593 shall apply to the subject land, notwithstanding that it is not within a plan of subdivision.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "R-4" District provisions, as varied by the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-803".

5. Sheet No. W-27C of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-803".

6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

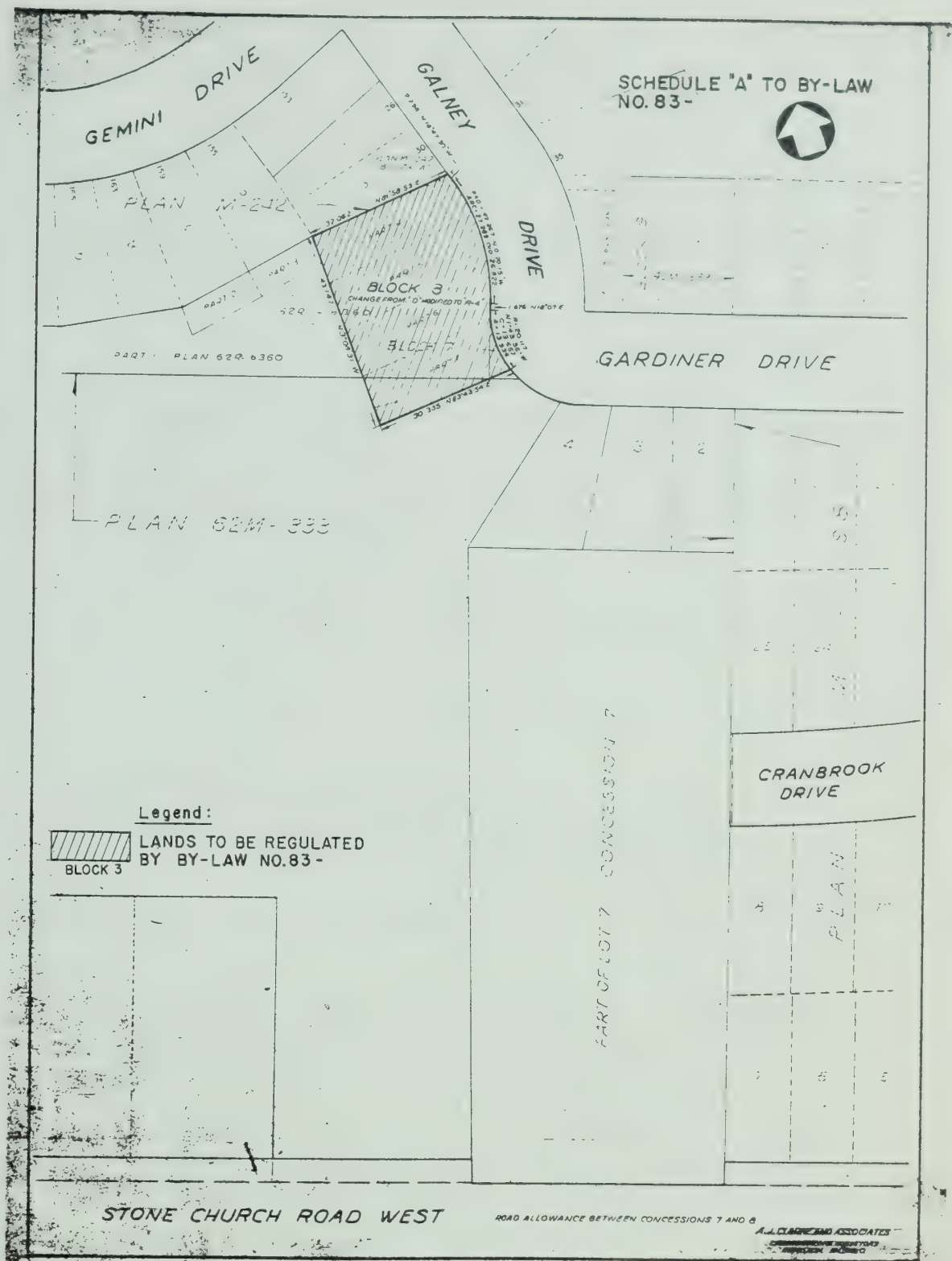
7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1982) 19 R.P.D.C. 3(b) (iii) (viii), October 12
Roberta Shelley, Owner
ZA-82-42



Bill No. D-18

This is Schedule "A" to By-law No. 83- passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 82-

To Amend:

Licensing By-law No. 79-323

Respecting:

CAB FARES

WHEREAS section 14 of schedule 4 of By-law No. 79-323, passed on the 27th day of November, 1979, as amended by section 1(1) of By-law No. 81-50, passed on the 27th day of January, 1981, provides for the rates or fares to be charged by the owners or drivers of a cab for the conveyance of passengers;

AND WHEREAS it is desirable to change the rates or fares to be charged.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subparagraph (i) of paragraph 1 of subsection 1 of section 14 of schedule 4 of By-law No. 79-323, as enacted by subsection 1 of section 1 of By-law No. 81-50 is repealed and the following substituted therefor:

(i) By hours.....\$20.00

2. Clauses A, B, and C of subparagraph (i) of paragraph 2 of subsection 1 of section 14 of schedule 4 of the said by-law, as enacted by subsection 1 of section 1 of By-law No. 81-50, is repealed and the following substituted therefor:

A. For the first 1/7 of a kilometer or part thereof.....\$ 2.00

B. For each additional 1/7 of a kilometer\$.10

C. For waiting after engagement, for each 30 seconds.....\$.10

PASSED this day of A.D. 1982.

City Clerk

Mayor

(1982) 14 R.L.C. 18, October 26

BY-LAW NO. 83 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF
HAMILTON AT ITS MEETING HELD ON THE 11th DAY OF January
A.D., 1983.

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 11th day of January, A.D. 1983

City Clerk

Mayor

MEETING OF CITY COUNCIL

January 25, 1983

A G E N D A

- A Transport and Environment Committee
- B..... Parks and Recreation Committee
- C Finance Committee
- D Planning and Development Committee
- E..... Legislation Committee
- J By-laws

City Council Bulletin Board
JAN 21 1983
COUNCIL

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **THIRD** Report for 1983 and respectfully recommends:

1. That the lease with Imperial Oil Limited for lands at Hamilton Civic Airport be renewed for one year, eleven months (less one day) commencing January 1, 1983 and terminating November 29, 1984 be approved.

NOTE: The rent for 1983 will be \$1,791.40 plus taxes and the rent for eleven months of 1984 will be \$1,719.02 plus taxes.

2. That the existing lease between the City of Hamilton and Aviscar Inc. for space at the Airport Terminal building be terminated as of November 8, 1982. Further, that a lease for space at the Airport Terminal building to 302206 Ontario Limited operating as Hamilton Goodwood and Avis Rent-a-Car commencing November 8, 1982 and terminating May 31, 1984 at the same rental as approved by City Council on May 12, 1981 be approved.

3. That:

- i. The lease between the City of Hamilton and Mr. Gerrit Hendrik Aaltink operating formerly as Mount Hope Taxis and now incorporated as Mount Hope Taxi Ltd., for the purpose of providing a taxi service to the Hamilton Civic Airport, be renewed.

The period of renewal shall be for one year less one day, commencing January 1st, 1983 and terminating December 30th, 1983. The rent per month shall remain the same, namely 10% of the gross revenue in excess of \$1,000 received during the previous calendar month, plus 3% of the gross revenue earned from taxi and airport services performed and provided under existing contracts, and such future contracts as may be added from time to time by mutual consent.

- ii. The City Solicitor be authorized to prepare the necessary lease with the said Mount Hope Taxi Ltd. upon the requirement that Mount Hope Taxi Ltd. provide immediate proof of Public Liability and Property Damage Insurance of not less than one million (\$1,000,000.00) dollars.

4. That the City of Hamilton engages Greenaway Security Services Ltd. to provide surveillance of airport properties during the period of 2300 - 0700 nightly, which are the hours not covered by the designated Hamilton-Wentworth Regional Police Officer.

NOTE: The total cost will be \$1,700 per month. It is recommended that the City pay \$500 per month as their share of this figure. Transport Canada is recommending a similar contribution on account of their Project Headquarters on the airport, and the balance will be shared amongst the tenants and operators.

5. That the following recommendation of the Director of Purchases respecting the annual supply of concrete aggregates, for the period from February 1, 1983 to January 31, 1984 be approved:

AGGREGATES

LAKEVIEW SAND & GRAVEL LTD., Cambridge, Ontario.

Crushed Stone - Delivery "C" - Delivered within City (Zone 11)

	<u>Per Metric Tonne</u>
Granular "A"	\$5.84
19 mm Blend	5.98
19 mm Clear	5.98
19 mm Crusher Run	5.98

STEETLEY INDUSTRIES LTD., Hamilton, Ontario.

Crushed Stone - Delivery "C" - Delivered within City (Zone 11)

	<u>Per Metric Tonne</u>	
9.5 mm Chips (washed)	\$6.74	Via Tandem Truck
	6.58	Via Tractor Trailer
6.4 mm Chips (washed)	6.94	Via Tandem Truck
	6.78	Via Tractor Trailer
53 mm Clear	6.54	Via Tandem Truck
	6.38	Via Tractor Trailer

NATIONAL SLAG LTD., Hamilton, Ontario.

Slag - Delivery "C" - Delivered within City (Zone 11)

	<u>Per Metric Tonne</u>
Granular "A"	\$7.15
19 mm Crusher Run	7.15
19 mm	7.60
9.5 mm	15.50

MIXED PORTLAND CEMENT CONCRETE

RED-D-MIX CONCRETE COMPANY, Hamilton, Ontario.

Mixed Concrete - Federal & Ontario Sales Taxes Included.

Picked up by City Trucks at Supplier's Plant.

Price Per Cubic Metre

Roadway Concrete	\$68.00
Sidewalk Concrete	68.00
2% Calcium Chloride	1.75
Heat	5.00

DELTA READY MIX LTD., Hamilton, Ontario.

Mixed Concrete - Federal & Ontario Sales Taxes Included

Picked up by City Trucks at Supplier's Plant.

Price Per Cubic Metre

Roadway Concrete	\$67.50
Sidewalk Concrete	67.50
2% Calcium Chloride	1.50
Heat	5.00

THE PREMIER GROUP, Hamilton, Ontario.

Mixed Concrete - Federal & Ontario Sales Taxes Included.

Delivered in Supplier's Trucks within City limits.

Price Per Cubic Metre

Roadway Concrete	\$68.20
Sidewalk Concrete	68.20
2% Calcium Chloride	1.75
Heat	5.00

Overtime Charges

After 5:00 p.m. to 7:00 p.m. add \$4.50 m³
After 7:00 p.m. to 9:00 p.m. add \$7.50 m³
After 9:00 p.m. to 7:30 a.m. add \$12.00 m³

Underload Charges

1m³ - \$60.00 per load
2m³ - \$40.00 per load
3m³ - \$25.00 per load
4m³ - \$15.00 per load

Cost for Multiple Dropoff on a load - 60 minutes unloading time will be allowed to unload after 60 minutes, \$0.80 per minute (\$48.00 Per Hour) will be charged.

ASPHALT CONCRETE AND BITUMINOUS MATERIALS

RED-D-MIX CONCRETE CO. Hamilton, Ontario.

Asphaltic Concrete - Price Per Tonne

Delivery "A" Loaded on City Trucks at Contractor's Plant, April 15 to December 31.

Sand Sheet Asphalt Surface Course - \$42.30

Steel Slag Asphalt - \$39.25

Stone Filled Sheet Asphalt Surface Course (H.M.3) - \$40.75

Asphalt Binder Course (H.M.5) - \$36.00

Delivery A.1 - Loaded on City Trucks at Contractor's Plant January 1 to April 15.

Stone Filled Sheet Asphalt Surface Course (H.M.3) - Daily Stand-by Charges - \$435.00

Delivery "C" - Delivered Within City

Sand Sheet Asphalt - \$49.30

Steel Slag Asphalt - \$46.25

Stone Filled Sheet Asphalt Surface Course (H.M.3) - \$47.75

Asphalt Binder Course (H.M.5) - \$43.00

Hot Mix-Cold Laid Stockpiled Patching Material

Delivery "A" - Loaded on City Trucks - Price Per Tonne - \$46.00

Hot Liquid Asphalt for Winter Patching - . 90 Per Litre

Prices subject to increase in liquid asphalt.

TARO PROPERTIES INC., Hamilton, Ontario.

Asphaltic Concrete - Price Per Tonne

Deliver "A" - Loaded on City Trucks at Contractor's Plant, April 15 to December 31.

Stone Filled Sheet Asphalt Surface Course (H.M.3) \$39.90

Asphalt Binder Course (H.M.5) - \$35.30

Delivery "C" Delivered within City

Stone Filled Asphalt Surface Course (H.M.3) - \$46.85

Asphalt Binder Course (H.M.5) - \$42.15

Hot Mix-Cold Laid Stockpiled Patching Material

Delivery "A" - Loaded on City Trucks - Price Per Tonne - \$45.20

Prices subject to increase in asphalt.

NORJOHN CONTRACTING LTD., Thorold, Ontario.

Cationic Asphalt Emulsions RS-1K - Delivered in tank trucks to City Yards
Minimum 13,620 Litre Capacity

\$0.179 Per Litre

Throughput surcharge to fill storage tanks - No Charge

ASPHALT ENGINEERING CORPORATION, Mississauga, Ontario.

Bituminous Road Material

M.T.C. Primer - Delivered in Tank Trucks, Minimum 13,620 Litre Capacity

\$0.29 Per Litre

Throughput surcharge to fill storage tanks - No Charge.

Additional Cost to supply a tank for duration of contract - No Cost.

6. That the sale of a 1' reserve located on the eastern limit of Annabelle Street to the Trustees of the Church of God in Hamilton for the sum of \$1.00 be approved and completed. This sale is to be credited to Account Number 0280-12.
7. That the Mayor and City Clerk be authorized to execute a garbage collection agreement between The Corporation of the City of Hamilton and George and Catherine Bountrogiannis for the collection of garbage at 532 Main Street East. The agreement will require the Applicant to indemnify and save the City harmless against any loss, and to purchase and file with the City Clerk an insurance policy to this effect, such policy to be in an amount satisfactory to the City Solicitor. The City's Garbage By-law No. 66-182 provides for such collection.
8. That:
 - i. the Mayor and City Clerk be authorized to execute a garbage collection agreement between The Corporation of the City of Hamilton and 1830 Main Street West Limited for the collection of garbage at 2583 King Street East. The agreement will require the Applicants to indemnify and save the City harmless against any loss, and to purchase and file with the City Clerk an insurance policy to this effect, such policy to be in an amount satisfactory to the city Solicitor. The City's Garbage By-law No. 66-182 provides for such collection.
 - ii. the Mayor and City Clerk be authorized to execute a Discharge of the previous agreement registered as Instrument No. 167056 C.D. with the former owner, Ture Anderson Construction Co. Limited, which agreement was authorized by City Council on September 9, 1980 in adopting Item 5 of the 40th Report of the former Board of Control.
9. That the following recommendation respecting the sidewalk on Barton Street

between Bay and James Streets be approved:

- i. That the sidewalks on Barton Street between Bay and James Streets be included in the 1983 Reconstruction Programme.
 - ii. That the City include in their estimates the costs normally attributable to the Region (curb portion of sidewalk and road repairs).
 - iii. That these costs be recovered from the Region in 1984 since the Region has not budgeted for this project in 1983.
10. That the application of Mrs. R. Tessaro owne, of 227 Caroline Street South, to retain the following inadvertent encroachments:
- i. Wooden steps approximately 1.29 m by approximately 2.05 m and,
 - ii. Wooden porch approximately 2.59 m by approximately 0.38 m

be approved during the pleasure of Council, provided:

- (a) That the owner enter into an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (b) That an annual fee of \$20 plus applicable realty taxes be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the \$25 annual fee to be charged to the owner for encroachment insurance.
 - (c) That the Commissioner of Engineering be directed to order the removal of the existing fence from the road allowance of Caroline Street South pursuant to Section 9 (3) of the Streets By-law No. 9329.
11. That the Commissioner of Engineering be authorized and directed to issue a road allowance occupancy permit for Local Roads for the year 1983 to Mediacom Inc. provided:
- i. That the vehicles be allowed to occupy the travelled and untravelled portions of the road allowance excluding sidewalks, bus stop areas and areas in the immediate vicinity of fire hydrants for sign erection, cleaning and maintenance purposes; and
 - ii. That the applicant complies with all the regulations of the Streets By-law 9329 and any other conditions that may be set out by the Commissioner of Engineering; and
 - iii. That the applicant agrees to refrain from occupying the road allowance during rush hours, and
 - iv. That the applicant indemnifies and saves the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

- v. That the applicant contact the Transit Authority (H.S.R.) informing them of any work to be carried out in the bus stop areas.
12. That the Commissioner of Engineering be authorized and directed to issue a road allowance occupancy permit for Local Roads for the year 1983 to Jones Neon Displays Limited provided:
- i. That the vehicles be allowed to occupy the travelled and untravelled portions of the road allowance excluding sidewalks, bus stop areas and areas in the immediate vicinity of fire hydrants for sign erection, cleaning and maintenance purposes; and
 - ii. That the applicant complies with all the regulations of the Streets By-law 9329 and any other conditions that may be set out by the Commissioner of Engineering; and
 - iii. That the applicant agrees to refrain from occupying the road allowance during rush hours, and
 - iv. That the applicant contact the Transit Authority (H.S.R.) informing them of any work to be carried out in the bus stop areas.
 - v. That the applicant indemnifies and saves the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
13. That the Commissioner of Engineering be authorized and directed to issue a road allowance occupancy permit for Local Roads for the year 1983 to The Jim Pattison Sign Co. provided:
- i. That the vehicles be allowed to occupy the travelled and untravelled portions of the road allowance excluding sidewalks, bus stop areas and areas in the immediate vicinity of fire hydrants for sign erection, cleaning and maintenance purposes; and
 - ii. That the applicant complies with all the regulations of the Streets By-law 9329 and any other conditions that may be set out by the Commissioner of Engineering; and
 - iii. That the applicant agrees to refrain from occupying the road allowance during rush hours, and
 - iv. That the applicant contact the Transit Authority (H.S.R.) informing them of any work to be carried out in bus stop areas.
 - v. That the applicant indemnifies and saves the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
14. That:
- i. The schedules for the estimated cost of services, appended hereto, be approved for inclusion in the proposed Subdivision Agreement;

- ii. The approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered, and
 - iii. In the event the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-servicing.
15. That the Director of Real Estate be authorized to negotiate the acquisition of the land for half of the future Curlew Avenue, Bruleville Neighbourhood, at an estimated cost of \$17,000, and the cost be financed from Account #028-12 - Services Through Unsubdivided Lands.
 16. That no action be taken on the request to implement three-way stop control at the intersection of Kimberly Drive and Dundonald Avenue.
 17. That the application for one boulevard parking space and extension to the existing driveway approach ramp in front of the property at 37 Garfield Avenue South, be approved provided that the applicant enter into the standard agreements with the City.
 18. That the previous list of personnel appointed as By-law Enforcement Officers for the City of Hamilton be revised as follows:

Delete the following names:	Mr. Dan McNeal Mr. Arthur Chalk
Add the following names:	Mr. Edward C. Y. Brazier Mr. John Re Mr. Armand R. Babineau
 19. That the following lanes be designated for movements which are contrary to the general provisions of the Highway Traffic Act:
 - i. Greenhill Avenue - Northbound, Curb Lane - King Street to 100 feet Southerly - Right Only
 - ii. Greenhill Avenue - Northbound, Second Lane from East Curb - King Street to 100 feet Southerly - Left, Straight, Right
 - iii. Greenhill Avenue - Northbound, Third Lane from East Curb - King Street to 100 feet Southerly - Left Only
 20. That a stopping prohibition be implemented on the north side of Barlake Avenue, commencing at a point 369 feet west of the easterly leg of Barlake Avenue, and extending to a point 45 feet westerly therefrom.
 21. That a parking prohibition be implemented on the south side of Lucerne Avenue commencing at Parkdale Avenue and extending to a point 107 feet easterly therefrom.

22. That:

- i. A parking prohibition be implemented on the south side of Monterey Avenue, commencing at Graham Avenue and extending to a point 103 feet westerly therefrom, and;
- ii. A parking prohibition be implemented on the west side of Graham Avenue South, commencing at Monterey Avenue and extending to a point 43 feet southerly therefrom.

23. That eastbound traffic on Martha Street be required to stop at Oriole Crescent.

24. That:

- i. northbound and southbound traffic on Annabelle Street be required to stop at Chester Avenue, and;
- ii. eastbound and westbound traffic on Chester Avenue be required to stop at Chestley Street.

25. That:

- i. eastbound and westbound traffic on Kennedy Avenue be required to stop at Christie Street, and;
- ii. eastbound and westbound traffic on Alderson Drive be required to stop at Christie Street, and;
- iii. eastbound and westbound traffic on Christopher Drive be required to stop at Christie Street.

26. That, in accordance with the policy, time limit exemption permits not be issued to the residents of No. 155 Charlton Avenue East.

27. That, in accordance with the policy, time limit exemption permits not be issued to the residents of No. 123 Charlton Avenue East.

28. That, in accordance with the policy, time limit exemption permits not be issued to the residents of No. 20 Duke Street.

29. That the application of Oscar G. Smith to lease a portion of the boulevard of Richwill Road, adjacent to 732 Upper James Street, be approved provided that:

- i. the owner complies with the requirements as set out in the policy respecting using a portion of the road allowance for parking purposes.
- ii. the approach, parking area and other structures as required be constructed and maintained in accordance with the drawing on Schedule "B" of the agreement, at the owner's expense.
- iii. the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

- iv. the applicant pay the annual fee as established by City Council plus taxes, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.
30. That the application of Lloyd Easterbrook Limited to lease a portion of the boulevard of Campbell Avenue, adjacent to 256 Ottawa Street North, be approved provided that:
- i. the owner complies with the requirements as set out in the policy respecting using a portion of the road allowance for parking purposes.
 - ii. the approach, parking area and other structures as required be constructed and maintained in accordance with the drawing on Schedule "B" of the agreement, at the owner's expense.
 - iii. the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - iv. the applicant pay the annual fee as established by City Council plus taxes, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.
31. That a "School Bus Loading Zone", 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Alderson Drive, commencing at a point 340 feet west of Upper James Street and extending to a point 241 feet westerly therefrom.
32. That "School Bus Loading Zones" be implemented between the hours of 7 a.m. and 6 p.m., Monday to Saturday, at the following locations:
- i. north side of Bendamere Avenue, commencing at a point 37 feet east of West 27th Street and extending to a point 205 feet easterly therefrom,
 - ii. north side of Bendamere Avenue, commencing at a point 36 feet east of West 26th Street and extending to a point 102 feet easterly therefrom,
 - iii. west side of Rolston Drive, commencing at a point 879 feet south of Miami Drive and extending to a point 40 feet southerly therefrom,
 - iv. south side of Secord Drive, commencing at a point 210 feet east of Rainbow Drive and extending to a point 40 feet easterly therefrom,
 - v. south side of Bobolink Road, commencing at a point 41 feet east of Meadowlark Drive and extending to a point 35 feet easterly therefrom,
 - vi. south side of Karen Crescent, commencing at a point 69 feet east of San Antonio Drive and extending to a point 100 feet easterly therefrom,
 - vii. south side of Karen Crescent, commencing at a point 289 feet east of San Antonio Drive and extending to a point 170 feet easterly therefrom,
 - viii. west side of Springside Drive, commencing at a point 667 feet south of Lister Avenue and extending to a point 48 feet southerly therefrom,

- ix. west side of Springside Drive, commencing at a point 740 feet south of Lister Avenue and extending to a point 50 feet southerly therefrom,
 - x. north side of Owen Place, commencing at a point 75 feet west of Greenford Drive and extending to a point 117 feet westerly therefrom,
 - xi. south side of Berko Avenue, commencing at a point 82 feet east of Baroche Street and extending to a point 70 feet easterly therefrom,
 - xii. south side of Berko Avenue, commencing at a point 25 feet west of Baroche Street and extending to a point 120 feet westerly therefrom,
 - xiii. south side of Thorner Drive, commencing at a point 84 feet west of Deerborn Drive and extending to a point 120 feet westerly therefrom,
 - xiv. west side of Deerborn Drive, commencing at a point 25 feet north of Jasmine Street and extending to a point 105 feet northerly therefrom,
 - xv. east side of Eastwood Avenue, commencing at a point 202 feet south of Melvin Avenue and extending to a point 35 feet southerly therefrom,
 - xvi. east side of Eastwood Avenue, commencing at a point 408 feet south of Melvin Avenue and extending to a point 35 feet easterly therefrom,
33. That an "Alternate Side Parking" regulation be implemented on Dunsmure Road between King Street East and Ottawa Street North, such that parking will be prohibited;
- i. on the north side of the street during the months of December, January, February and March, and from the 1st to 15th day of April, May, June, July, August, September, October and November, and;
 - ii. on the south side of the street from the 16th to last day of April, May, June, July, August, September, October and November.
34. That:
- i. stopping be prohibited on the west side of Province Street, commencing at King Street and extending to a point 88 feet southerly therefrom, and;
 - ii. the existing "Alternate Side Parking" regulation on Province Street between King Street and Justine Avenue be rescinded.
35. That:
- i. a parking prohibition be implemented on the west side of Clifton Downs Road between Purnell Drive and Bonaventure Drive, and;
 - ii. the existing parking prohibition on the east side of Clifton Downs Road between Purnell Drive and Bonaventure Drive be rescinded.

36. That a parking prohibition be implemented on the north side of Dunsmure Road, commencing at Edgemont Street and extending to a point 61 feet westerly therefrom.
37. That an "Alternate Side Parking" regulation be implemented on Traymore Avenue between Forsyth Avenue and Dalewood Avenue, such that parking will be prohibited:
 - i. on the north side of the street during the months of December, January, February and March, and from the 1st to 15th day of April, May, June, July, August, September, October and November, and;
 - ii. on the south side of the street from the 16th to last day of April, May, June, July, August, September, October and November.
38. That no action be taken on the petition to shorten the parking prohibition on the west side of Riverdale Drive, north of Gainsborough Road.
39. That the existing parking prohibition on the west side of Margaret Street, commencing at King Street and extending to a point 70 feet southerly therefrom, be extended, such that the regulation commences at King Street and extends to a point 154 feet southerly therefrom, and that the wording on the signs be switched from "No Parking" to "No Parking - Loading Only".
40. That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the west side of Hillyard Street between Land Street and the northerly end be rescinded.
41. That the existing "Alternate Side Parking" regulation on Smith Avenue between Cannon Street East and Barton Street East be rescinded, and a full-time parking prohibition be implemented on the east side of this section of Smith Avenue.
42. That:
 - i. stopping be prohibited on the west side of Springer Avenue, commencing at Maplewood Avenue and extending to a point 55 feet northerly therefrom,
 - ii. stopping be prohibited on the west side of Springer Avenue, commencing at a point 175 feet north of Maplewood Avenue and extending to a point 78 feet northerly therefrom.
 - iii. parking be prohibited on the west side of Springer Avenue, commencing at a point 55 feet north of Maplewood Avenue and extending to a point 120 feet northerly therefrom.
 - iv. parking be prohibited on the west side of Springer Avenue, commencing at Main Street and extending to a point 253 feet north of Maplewood Avenue.
43. For the information of the Members of Council, the Transport and Environment Committee has established a Pollution Control Sub-Committee to assist the Transport and Environment Committee with the execution of its duties.

The Committee is made up of Alderman M. Kiss and Alderman H. Merling.

44. That leave be granted to introduce the following bills:

- (a) A-8 By-law respecting the construction of Local Improvements on the east side of Upper Gage Avenue from Anna Capri Drive
- (b) A-9 By-law to amend By-law No. 66-100 to regulate traffic.
- (c) A-10 By-law to amend By-law No. 66-100 to regulate traffic.

RESPECTFULLY SUBMITTED,

ALDERMAN H. MERLING, CHAIRMAN

R. C. Prowse, Secretary
January 17, 1983
Attch.

Referred to in Section 14
of the THIRD Report of
the Transport and
Environment Committee

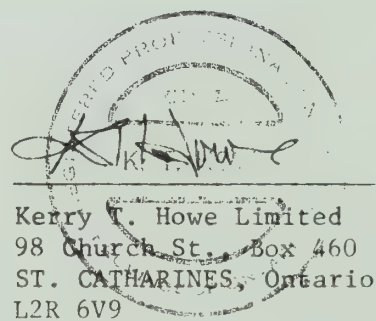
ESTIMATES OF COSTS OF SERVICES

FOR

ALMAS GARDENS (PHASE THREE)

SCHEDULES "E", "F" & "G"


PREPARED BY:

A circular professional seal for a Professional Engineer in the Province of Ontario. The seal contains the text "PROFESSIONAL ENGINEER" and "PROVINCE OF ONTARIO". A signature is written across the seal.
Kerry T. Howe Limited
98 Church St., Box 460
ST. CATHARINES, Ontario.
L2R 6V9

DATED: 1982-12-13

APPROVED BY:

Regional Municipality of
Hamilton-Wentworth


Commissioner of Engineering

DATE:

Dec 21/82

SCHEDULE "E"
ALMAS GARDENS (PHASE THREE)
PLAN OF SUBDIVISION

Requirements for Boundary Streets:

PART 'A' - Work to be installed and paid for by the Subdivider.

1. Curb and Sidewalk \$ NIL

2. Approaches \$ NIL

TOTAL PART 'A'

\$ NIL

PART 'B' - Local Improvements

1. Final Roads \$ NIL

TOTAL PART 'B'

\$ NIL

GRAND TOTAL

\$ NIL

SCHEDULE "F"

ALMAS GARDENS (PHASE THREE)

PLAN OF SUBDIVISION

	<u>Subdivider</u>	<u>City</u>
1. <u>Preliminary Roads (Including Catchbasins)</u>		
To be constructed by Subdivider within two months of completion of the sewers and water services. Costs to be shared as shown.		
(a) Firenze Street from 14 Feet East of the Centreline of Anthony Street to the East Limit of Lot 1		
733 Lineal Feet @ \$60.00/Lin. Ft. (223.4 metres)	100%	
Estimated Cost <u>\$43,980.00</u>	<u>\$43,980.00</u>	<u>NIL</u>
(b) Anthony Street from South Limit of Lot 28 to the North Limit of Block 49		
413 Lineal Feet @ \$60.00/Lin. Ft. (125.9 metres)	100%	
Estimated Cost <u>\$24,780.00</u>	<u>\$24,780.00</u>	<u>NIL</u>

SCHEDULE "F"

	<u>Subdivider</u>	<u>City</u>
2. <u>Sidewalk and Curbs (Including Approaches)</u>		
To be constructed within six months of the completion of sewers and services.		
(a) Firenze Street (both sides) from 33 Feet East of the centre- line of Anthony Street to the East Limit of Lot 1		
1,428 Lineal Feet @ \$16.00/Lin. Ft. (435.3 metres)	100%	
Estimated Cost <u>\$22,848.00</u>	<u>\$22,848.00</u>	<u>NIL</u>
(b) Anthony Street (both sides) from the South Limit of Lot 28 to the North Limit of Block 49		
800 Lineal Feet @ \$16.00/Lin. Ft. (243.8 metres)	100%	
Estimated Cost <u>\$12,800.00</u>	<u>\$12,800.00</u>	<u>NIL</u>

SCHEDULE "F"

	<u>Subdivider</u>	<u>City</u>
3. <u>Final Roads</u>		
To be constructed within 15 months of the completion of the sewers or by June 15th of the following year if the 15th month period ends after October 15th.		
(a) Firenze Street from 14 Feet East of the Centreline of Anthony Street to the East Limit of Lot 1.		
733 Lineal Feet @ \$50.00/Lin. Ft. (223.4 metres)	100%	
Estimated Cost <u>\$36,650.00</u>	<u>\$36,650.00</u>	<u>NIL</u>
(b) Anthony Street from South Limit of Lot 28 to the North Limit of Block 49.		
413 Lineal Feet @ \$50.00/Lin. Ft. (125.9 metres)	100%	
Estimated Cost <u>\$20,650.00</u>	<u>\$20,650.00</u>	<u>NIL</u>

SCHEDULE "G"

ALMAS GARDENS (PHASE THREE)

PLAN OF SUBDIVISION

PART 'A' - Works to be installed by the Subdivider and costs shared as shown.

1. Sodding to be completed within six months of completion of sidewalk and curb.

(a) Subdivider's Share

Firenze Street (north side) from 33 Feet East of the centreline of Anthony Street to the East limit of Lot 1.

Firenze Street (south side) from 33 Feet East of the centreline of Anthony Street to the East limit of Block 45.

Anthony Street (west side) from the South limit of Lot 28 to the North limit of Block 49.

Anthony Street (east side) from the South limit of Lot 29 to the North limit of Block 48.

TOTAL - 2783 Sq. Yds. @ \$2.25/sq.yd.
(2,327 square metres)
Estimated Cost \$6,261.75

(b) City's Share - Nil

(c) Sharing

Total Cost	\$6,261.75
Maintenance 15%	<u>\$ 939.26</u>
	100%
Total Part 'A'	<u>\$7,201.01</u>
<u>Subdivider</u>	<u>City</u>
100%	
<u>\$ 7,201.01</u>	<u>Nil</u>

SCHEDULE "G"

ALMAS GARDENS (PHASE THREE)

PLAN OF SUBDIVISION

PART 'B' - Works to be installed by the City and costs shared as shown.

1. Tree Planting - Cost calculated at \$0.30 per Lineal Feet of frontage and flankage.

(a) Subdivider's Share

Firenze Street (north side) from 33 Feet East of the centreline of Anthony Street to the East limit of Lot 1.

Firenze Street (south side) from 33 Feet East of the centreline of Anthony Street to the East Limit of Block 45.

Anthony Street (west side) from the South limit of Lot 28 to the North limit of Block 49.

Anthony Street (east side) from the South limit of Lot 29 to the North limit of Block 48.

Total - 2,187.65 Lin. Ft. @ \$0.30/Lin.Ft.
(661.005 metres)
Estimated Cost \$656.30

(b) City's Share - Nil

(c) Sharing

	100%
Total Part 'B'	<u>\$ 656.30</u>

<u>Subdivider</u>	<u>City</u>
100%	
<u>\$656.30</u>	<u>Nil</u>

	100%
Total Schedule 'G'	\$10,131.80

	100%
Subdivider's Share	\$10,131.80

City's Share	Nil
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SUMMARY SHEET

SCHEDULES E, F AND G

1. CITY'S SHARE

- (a) Maintenance of Preliminary Road @ \$0.65 per Lineal Foot of Frontage and Flankage \$ Nil
- (b) Services to be installed by the Subdivider and paid for by the City \$ Nil

TYPE OF WORK	CONSTRUCTION COST	MAINTENANCE 3%	INSPECTION 2%	ENGINEERING 9%	TOTAL
Preliminary Roads (Including Catchbasins and Connections)	\$ Nil	\$ Nil	\$ Nil	\$ Nil	\$ Nil
Sidewalks and Curbs	\$ Nil	\$ Nil	\$ Nil	\$ Nil	\$ Nil
Final Roads	\$ Nil	\$ Nil	\$ Nil	\$ Nil	\$ Nil
Seeding and Sodding	\$ Nil	\$ Nil	\$ Nil	\$ Nil	\$ Nil

CITY'S SHARE \$ Nil

2. SUBDIVIDER'S SHARE

(a) Local Improvements	\$ Nil
(b) Tree Planting	\$ 656.30
(c) Replacing of damaged or missing survey monuments and standard iron bars	\$ 3,000.00
(d) Street name signs: 2 corner lots @ \$38.00/each	\$ 76.00
(e) Maintenance of Preliminary Roads @ \$0.65 per Lineal Foot of Frontage & Flankage (2,187.65 Ft.)	\$ 1,421.97
(f) Services to be installed and paid for by the Subdivider	\$189,485.33

TYPE OF WORK	CONSTRUCTION COST	MAINTENANCE 3%	INSPECTION 2%	ENGINEERING 9%	TOTAL
Preliminary Roads (Including Catchbasins and Connections)	\$ 68,760.00	\$ -	\$1,375.20	\$ 6,188.40	\$ 76,323.60
Sidewalks and Curbs	\$ 35,648.00	\$ 1,069.44	\$ 712.96	\$ 3,208.32	\$ 40,638.72
Final Roads	\$ 57,300.00	\$ 1,719.00	\$1,146.00	\$ 5,157.00	\$ 65,322.00
Seeding or Sodding	\$ 6,261.75	\$ 939.26(15%)	-	-	\$ 7,201.01
Total City's Share	\$ Nil				
Total Subdivider's Share	\$ 194,639.60				
Grand Total of All Work	\$ 194,639.60				
				TOTAL SUBDIVIDER'S SHARE	<u>\$189,485.33</u>

SUBMITTED BY: Kerry T. Howe Limited

DATE: 1982-12-13

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **THIRD** Report and respectfully recommends:

1. Approval of the leasing of the property at 206 Cope Street to Benoit and June Rioux from December 6, 1982 to December 31, 1982 at a one-time rental charge of \$175.00 and commencing January 1, 1983, at a monthly rental of \$275.00, including realty taxes.

NOTE: This property was acquired by the City for parks purposes in the Homeside Neighbourhood and will be vacated and demolished when required for park development.

2. That item 4 of the Thirty-second Report of the Board of Control adopted by City Council on May 29, 1979 authorizing the transfer of ownership of Confederation Park from the City of Hamilton to the Regional Municipality of Hamilton-Wentworth, be amended to include the following survey particulars:

"The said lands of Confederation Park are shown on City Survey 62R-3986 as Part Numbers 6 & 7 and on City Survey 62R-6372 as Part Numbers 1, 3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23 and 24."

NOTE: The original resolution respecting the transfer of Confederation Park to the Region was without the benefit of a survey which has since been completed and the Committee is now therefore requesting that the original resolution be amended to include survey particulars to clearly define the limits of the park to be conveyed to the Regional Municipality of Hamilton-Wentworth.

3. That the hours of operation of the Gore Park Lavatories be reduced from 7:00 a.m. to 10:00 p.m. seven days per week, to 8:00 a.m. to 6:00 p.m. seven days per week, resulting in a cost saving to the City of approximately \$35,227. and further that the appropriate staff adjustments to effect this change be made.

NOTE: For the information of the members of City Council, the Committee wishes to advise that in addition to this reduction in hours, investigations are also being made as to the feasibility of a further reduction in hours of operation and, in particular, closing the facilities on Sundays, which will result in additional savings to the City.

4. That the Subdivision Agreement for Cardinal Heights Addition No. 5, Phase 2, include the following:

"Block 39 shall be conveyed to the City for parks purposes at the time of registration of the Plan of Subdivision. The City and the subdivider agree to attempt to negotiate a price for the lands. If a mutually acceptable price is not arrived at within 60 days of registration, both parties agree to submit the matter of compensation to the Land Compensation Board, under section 31 of Chapter 148, The Expropriation Act, R.S.O. 1980. It is further agreed that the cost of the hearing shall be shared equally by both parties."

NOTE: For the information of the members of City Council, Block 39 contains approximately 0.5 hectare and was designated for parks purposes in the Bruleville Neighbourhood by City Council in the late 1970's.

This purchase to be financed from the Reserve for Lands Conveyed to the City for Parks Purposes - Account No. 0280-11.

5. (a) That the rental rates for Department of Culture and Recreation facilities, as listed on Schedule "A", attached, be implemented effective February 1, 1983.

NOTE: For the information of the members of City Council, the Committee wishes to advise that the recommended rates provide for an increase of approximately 6%.

In addition, the recommended fee structure provides for an hourly rate for park sport facilities as opposed to a fixed or flat fee presently being charged.

- (b) That a new fee structure for use of various facilities as set out in Schedule "B", attached, be implemented effective February 1, 1983.

NOTE: For the information of the members of City Council, the Committee wishes to advise this fee structure is in keeping with the "user pay" philosophy. It further provides for subsidized rates for use of Ivor Wynne Stadium, Brian Timmis Stadium, the H.A.A.A. Grounds and the Mohawk Sports Complex for minor sport practices. In addition, it provides for a new rate for semi-professional groups, which is somewhat higher than amateur group rates.

6. That the application by the Ridge Raider Drum and Bugle Corps to hold a Drum and Bugle Competition in Brian Timmis Stadium on Sunday, August 14, 1983, be approved subject to terms and conditions set out by the Director of Culture and Recreation in accordance with Schedule "B" of the Operational Regulations for Use of Brian Timmis Stadium.

That the rental fee for this use be a flat rate of \$500.

7. Approval of the payment of additional fees of \$1,507.18 to Tymoshuk & Tymoshuk, Architects, for the MacNab Arms Restaurant facility in Dundurn Castle.

NOTE: With the adoption of section 12 of the Sixth Report of the Parks and Recreation Committee, City Council approved the appointment of this firm to provide architectural services at a fee of \$15,000. Subsequent to their appointment, however, City Council approved the installation of a sprinkler system and air conditioning system as part of the restaurant project, which resulted in an additional charge by the Project Architect and his consultants.

The Committee further wishes to advise that the City Architect considers this additional charge to be fair and reasonable and further that there are sufficient unencumbered funds available in the project budget to cover this amount.

8. That the request from the City of Burlington to construct a winter boat storage area of approximately 35 feet by 180 feet, immediately adjacent to the present Burlington Sailing and Boating Club boat compound and the dock at LaSalle Park, be approved.

NOTE: For the information of the members of City Council, the agreement between the Corporation of the City of Hamilton and the Corporation of the City of Burlington dated December 11, 1974, requires Burlington to obtain the City of Hamilton's approval for such an installation.

The Committee further wishes to advise that the proposed compound will be a six foot high chain link fence on the east side of the existing storage compound and will be removed in spring. There will be no costs associated to the City of Hamilton for this installation.

9. That a \$15,000. budget allocation for 1983 be approved for Winterfest '83 and that the Special Events Advisory Committee be authorized to spend funds in advance of formal approval of the 1983 budget estimates in order that arrangements for this event, which takes place February 3 to February 6, 1983 can be finalized.
10. (a) That subject to the approval of the Hamilton-Wentworth Roman Catholic Separate School Board, the Concept Plan, attached as Schedule "C", for the redevelopment of the grounds of St. Patrick's School on Main Street East and Victoria Avenue, be implemented pursuant to the provisions of the Neighbourhood Improvement Programme (NIP); and,

(b) that the Director of Public Works be authorized and directed to take all steps necessary to commence and complete this redevelopment.

NOTE: With the adoption of section 26 of the Second Report of the Planning and Development Committee, City Council at its meeting on January 11, 1983 authorized the cost of this redevelopment which is estimated to be \$50,000. to be financed from appropriate accounts pertaining to NIP in the Landsdale Redevelopment Area.

11. The Parks and Recreation Committee wishes to advise of the appointment of the following subcommittees to assist it in carrying out its duties and responsibilities for the 1983, 1984 and 1985 term.

(a) **HAMILTON HISTORICAL BOARD**

Alderman J. A. Bethune
Alderman M. Kiss
Alderman Wm. M. McCulloch
Mr. T. Melville Bailey
Mr. Anthony Butler
Mr. J. Stewart Callaghan
Mr. Stanley F. Dudzic
Mrs. Sheila Scott
Mrs. Susan Shaker

(b) HAMILTON VETERANS COMMITTEE

Alderman Wm. M. McCulloch
Mr. J. O. Fuller
Mr. A. H. Black
Mr. F. Caldwell
Mr. M. Roach

(c) HAMILTON SPECIAL EVENTS ADVISORY COMMITTEE

Alderman B. Hinkley
Alderman F. Lombardo
Alderman P. Cowell
Mr. Peter Drysdale
Mr. Edwin B. (Ted) Ferguson
Mr. W. J. Gardner
Mr. F. J. Hickey
Mr. P. Hourigan
Mr. John Kiriakopoulos
Mr. Paul Pappas
Ms. Paula Pasinato
Ms. Joan Rapsavage

(d) TRADE CENTRE/ARENA SUBCOMMITTEE

Alderman B. Hinkley
Mayor R. M. Morrow
Alderman J. A. Bethune
Alderman D. Gray

12. That leave be granted to introduce the following bill:

Bill B-1 By-law to amend Cemeteries By-law No. 8861 respecting revised
Tariff of Charges.

Respectfully submitted,

ALDERMAN B. HINKLEY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

J. J. Schatz, Secretary
January 13th, 1983
attchms.

Schedule "A" as referred
to in item 5(a) of the
Third Report of the Parks
and Recreation Committee

SCHEDULE A

FEE INCREASES BASED ON EXISTING RATES

PAGES 1 - 13

RENTAL RATES - BOARD OF EDUCATION FACILITIES - 1983

Schedule - (A)

	<u>PRESENT</u>		<u>PROPOSED</u>	
	WEEKDAYS	WEEKENDS	WEEKDAYS	WEEKENDS
Scouts, Cubs, Guides, Brownies, Children & Youth Group, John Howard Society	\$ 5.00	\$20.00	\$ 6.00	\$21.00
Community Councils - Meetings Only	\$10.00	\$20.00	\$11.00	\$21.00
St. John Ambulance	No Charge	No Charge	No Charge	No Charge

Non-Subsidized Rates as Charged By the Board of Education

EXPLANATORY NOTES

The following are the rates charged this Department by the Board of Education and will indicate the amount of subsidy being provided by the Department and the charge which will be in effect for groups not subsidized.

	<u>PRESENT</u>		<u>PROPOSED</u>	
	WEEKDAYS	WEEKENDS	WEEKDAYS	WEEKENDS
Lake Avenue, Memorial, Prince of Wales, Queen Mary, Ballard, C.B. Sterling	\$25.00	\$60.00	\$26.00	\$64.00
Secondary Schools with Recreation Centres	\$20.00	\$60.00	\$21.00	\$64.00
Additional Gym if available	\$ 5.00	\$ 6.00		
Secondary Schools with Recreation Centres	\$16.00	\$28.00	\$17.00	\$30.00
Hill Park, Sir Winston Churchill, Westmount				
Scott, Elizabeth Bagshaw (Sir Wilfrid Laurier)				
Additional Gym if Available	\$ 5.00		\$ 6.00	
Vocational Schools	\$20.00	\$60.00	\$21.00	\$64.00
Ainslie Wood, Albion, Briarwood, Caledon, Crestwood, Parkview				
Elementary Schools	\$32.00	\$60.00	\$34.00	\$64.00
Elementary Schools with Recreation Centres	\$16.00	\$23.00	\$17.00	\$24.00
Ryerson, Dalewood, Bennetto				

DEPARTMENT OF CULTURE AND RECREATION

PROPOSED RENTAL RATES BARTON AND NORMANHURST COMMUNITY CENTRES

	<u>PRESENT</u>	<u>PROPOSED</u>
<u>BARTON COMMUNITY CENTRE</u>		
<u>Auditorium</u>		
1) Community Organizations	\$25.00	\$27.00
Adult	5.00	5.50
Children/Youth Groups		
2) Private/Commercial	\$50.00	\$53.00
i.e. Weddings, Banquets, etc.		
Use of Kitchen in addition to above	\$ 5.00	\$ 5.00

NOTE: The Barton Men's Club, original owners of the Centre prior to the annexation of Barton Township by the City, have use of the Centre free of charge. Proceeds from any social functions are utilized for charitable or community purposes.

	<u>PRESENT</u>	<u>PROPOSED</u>
<u>NORMANHURST COMMUNITY CENTRE</u>		
<u>Auditorium</u>		
Youth Organizations		\$ 5.50
Adult Organizations (Revenue Producing Activities)	\$ 5.00	\$27.00
(except those listed below)	\$25.00	
Triple S. Club (Social Service Club)	\$ 1.00	\$ 1.00
41st Cubs & Scouts, Mothers Auxiliary - meetings)	\$ 2.00	\$ 2.00
Normanhurst Nursery School	\$150.00 annual rent	\$160.00 annual rent
($\frac{1}{2}$ Day Co-op Nursery School)		

NOTE: No Charge for Seniors Clubs or Nursey School, Mothers Auxiliary - meets ONLY

RENTAL RATES AND MINIMUM CHARGES FOR THE USE OF PARK FACILITIES

Schedule - (A)

BERNIE ARBOUR STADIUM/MOHAWK SPORTS COMPLEX

		<u>WEEKDAYS</u>		<u>WEEKENDS</u>	
		DAYTIME	WITH LIGHTS	DAYTIME	WITH LIGHTS
ADULT - GAMES	Present	\$35.00 or 15% *	\$50.00 or 15% *	\$50.00 or 15% *	\$70.00 or 15% *
	Proposed	\$11.00/hr or 15% *	\$15.00/hr or 15% *	\$15.00/hr or 15% *	\$21.00/hr or 15% *
MINOR - GAMES	Present	\$25.00 or 15% *	\$35.00 or 15% *	\$35.00 or 15% *	\$45.00 or 15% *
	Proposed	\$8.00/hr or 15% *	\$11.00/hr or 15% *	\$11.00/hr or 15% *	\$14.00/hr or 15% *
ADULT- PRACTICE	Present	\$15.00 Flat Rate	\$40.00 flat rate	\$30.00 flat rate	\$45.00 flat rate
	Proposed	\$6.00/hr	\$14.00/ hr	\$11.00/hr	\$14.00/hr

* (RENTAL RATE OR PERCENTAGE RATE OF GROSS GATE RECEIPTS, WHICHEVER IS GREATER)

RENTAL RATES AND MINIMUM CHARGES FOR THE USE OF PARK FACILITIES

BRIAN TIMMIS STADIUM

Schedule- (A)

	<u>WEEKDAYS</u>		<u>WEEKENDS</u>	
	DAYTIME	WITH LIGHTS	DAYTIME	WITH LIGHTS
SEMI-PROFESSIONAL EVENT (Game)	Present	\$75.00 or 15% *	\$90.00 or 15% *	\$105.00 or 15% *
	Proposed	\$23/hr or 15% *	\$27/hr or 15% *	\$32/hr or 15% *
AMATEUR SPORTS GROUP (Adults) - Game	Present	\$35.00 or 20% *	\$45.00 or 20% *	\$45.00 or 20% *
	Proposed	\$11/hr or 20% *	\$14/hr or 20% *	\$15/hr or 20% *
MINOR SPORTS GROUP (Game)	Present	\$35.00 or 15% *	\$45.00 or 15% *	\$45.00 or 20% *
	Proposed	\$11/hr or 20% *	\$14/hr or 20% *	\$14/hr or 20% *
BOARD OF EDUCATION-GAME	Present	\$45.00 flat rate		
	Proposed	\$14/hour		
PRACTICE - ADULTS	Present	\$10.00	\$20.00	\$10.00
	Proposed	\$4.00/hr	\$6.00/hr	\$4.00/hr

* (RENTAL RATE OR PERCENTAGE RATE OF GROSS GATE RECEIPTS, WHICHEVER IS GREATER)

RENTAL RATES AND MINIMUM CHARGES FOR THE USE OF PARK FACILITIES

Schedule - (A)

DUNDURN PARK PAVILION		<u>WEEKDAY</u>		<u>WEEKEND</u>
		DAYTIME	WITH LIGHTS	DAYTIME WITH LIGHTS
ADMINISTRATION FEE FOR CO-ORDINATION OF SPECIAL EVENTS	Present	\$15.00		
	Proposed	\$16.00		
PARK CLEAN-UP DEPOSIT	Present	\$100.00		
	Proposed	\$106.00		

RENTAL RATES AND MINIMUM CHARGES FOR THE USE OF PARK FACILITIES

Schedule - (A)

	<u>WEEKDAYS</u>		<u>WEEKENDS</u>	
	DAYTIME	WITH LIGHTS	DAYTIME	WITH LIGHTS
GAGE PARK BANDSHELL				
ADMINISTRATION FEE FOR CO-ORDINATION OF SPECIAL EVENTS	Present	\$25.00		
	Proposed	\$27.00		
PARK CLEAN-UP DEPOSIT	Present	\$100.00		
	Proposed	\$106.00		

RENTAL RATES AND MINIMUM CHARGES FOR THE USE OF PARK FACILITIES

		Schedule- (A)		
GLOBE PARK (BASEBALL)		WEEKDAYS	WEEKENDS	HOLIDAYS
ADULTS - GAME - PRACTICE	PRESENT	\$5.00/morning/afternoon/ evening	\$5.00/morning/afternoon/ evening	
	Proposed	\$2.00/hour	\$3.00/hour	

RENTAL RATES AND MINIMUM CHARGES FOR THE USE OF PARK FACILITIES

Schedule-(A)

H.A.A.A. GROUNDS	<u>WEEKDAYS</u>		<u>WEEKENDS</u>	
	DAYTIME	WITH LIGHTS	DAYTIME	WITH LIGHTS
ADULT- GAMES	Present	\$25 flat rate \$40 min. \$50 max.	\$30 flat rate	\$45 min. \$55 max.
	Proposed	\$8/hour \$42 min. \$53 max.	\$9./hr	\$48 min. \$58 max.
ADULT- PRACTICE	Present	\$15 flat rate \$30 min. \$40 max.	\$20 flat rate	\$35 min. \$45 max.
	Proposed	\$6/hour \$32 min. \$42 max.	\$7/hour	\$37 min. \$48 max.

RENTAL RATES AND MINIMUM CHARGES FOR THE USE OF PARK FACILITIES

Schedule -(A)

SACKVILLE HILL PARK (ENCLOSED FIELD)	WEEKDAYS		WEEKENDS	
	DAYTIME	WITH LIGHTS	DAYTIME	WITH LIGHTS
ADULT - GAMES	Present	\$25.00	\$30.00	
	Proposed	\$7/hour	\$9/hour	
MINOR - GAMES	Present	\$15.00	\$25.00	
	Proposed	\$6/hour	\$7/hour	
PRACTICE (ADULTS)	Present	\$15.00	\$25.00	
	Proposed	\$6/hour	\$7/hour	

RENTAL RATES AND MINIMUM CHARGES FOR THE USE OF PARK FACILITIES

Schedule - (A)

	WEEKDAYS		WEEKENDS	
	DAYTIME	WITH LIGHTS	DAYTIME	WITH LIGHTS
VICTORIA PARK (MAIN BALL DIAMOND)				
ADULT - GAMES	Present	\$25 or 15% *	\$45 or 15% *	\$55 or 15% *
	Proposed	\$7/hr or 15% *	\$14/hr or 15% *	\$17/hr or 15% *
MINOR - GAMES	Present	\$20 or 15% *	\$40 or 15% *	\$50 or 15% *
	Proposed	\$6/hr or 15% *	\$11/hr or 15% *	\$15/hr or 15% *
PRACTICE	Present	\$15	\$25	\$30
	Proposed	\$5/hr	\$9/hr	\$11/hr

*(RENTAL RATE OR PERCENTAGE OF GROSS GATE RECEIPTS, WHICHEVER IS GREATER)

*(RENTAL RATE OF PERCENTAGE OF GROSS GATE RECEIPTS, WHICHEVER IS GREATER)

IVOR WYNNE STADIUM	WEEKDAYS		WEEKENDS	
	DAYTIME	WITH LIGHTS	DAYTIME	WITH LIGHTS
SPORT EVENTS				
PROFESSIONAL SPORTS (exclusive of Tiger-Cats) (GAMES)	Present	\$300 or 15% *	\$600 or 15% *	\$420 or 15% *
	Proposed	\$91/hr or 15% *	\$182/hr or 15% *	\$127/hr or 15% *
SEMI-PROFESSIONAL EVENT (GAMES)	Present	\$225 or 25% *	\$375 or 25% *	\$375 or 25% *
	Proposed	\$68/hr or 20% *	\$109/hr or 20% *	\$68/hr or 20% *
AMATEUR ADULT SPORTS (GAMES)	Present	\$125 or 20% *	\$250 or 20% *	\$125 or 20% *
	Proposed	\$38/hr or 20% *	\$76/hr or 20% *	\$40/hr or 20% *
MINOR SPORTS GROUP (GAMES)	Present	\$115 or 15% *	\$230 or 15% *	\$115 or 15% *
	Proposed	\$35/hr or 15% *	\$70/hr or 15% *	\$35/hr or 15% *
(RENTAL RATE OR PERCENTAGE RATE, WHICHEVER IS GREATER)				
BD. OF EDUCATION				
- Regular	Present	\$170 flat rate		\$170 flat rate
	Proposed	\$51/hour		\$51/hour
- Final	Present	\$170 or 15%*		\$170 or 15%*
	Proposed	\$51/hr or 15% *		\$51/hr or 15% *
EXHIBITION GAMES (no ticket sales) Amateur/Minor Groups	Present	\$60 flat rate	SEE lighting charges below	\$60 flat rate
	Proposed	\$18/hour		\$18/hour
PRACTICES - ADULT	Present	\$30 flat rate		\$30 flat rate
	Proposed	\$9/hr		\$10./hr
SEE lighting charges below				

LIGHTING CHARGES - - - SEE NEXT PAGE

Continued...

<u>FIELD LIGHTING</u>		<u>FULL LIGHTS</u> (8 banks)	<u>1/2 LIGHTING</u> (4 banks)	<u>1/4 LIGHTING</u> (2 banks)
Board of Education	Present	\$115	\$50	\$30
	Proposed	\$122	\$53	\$32
Amateur Adults	Present	\$125	\$65	\$35
	Proposed	\$133	\$69	\$37
Semi-Pro / Pro	Present	\$150	\$75	\$35
	Proposed	\$159	\$80	\$37
<u>SPECIAL EVENTS</u>		<u>WEEKDAYS / WEEKENDS</u>		
Community Organizations (no gate receipts)	Present	\$700		
	Proposed	\$742		
Community Organizations (ticket sales)	Present	\$700 min. or 20% of gate receipts		
	Proposed	\$742 min. or 20% of gate receipts		
Non-Profit Organizations (proceeds-charitable causes)	Present	\$2,000		
	Proposed	\$2,120.00		
Profit/Commercial Organization	Present	Negotiable, subject to Council support		
	Proposed	Negotiable, subject to Council support		
<u>GREEN ROOM - (RECEPTION AREA)</u>		<u>WEEKDAYS / WEEKENDS</u>		
Community Organizations (no gate receipts)	Present	\$25.00		
	Proposed	\$27.00		
Community Organizations (ticket sales)	Present	\$25.00		
	Proposed	\$27.00		

Continued...

<u>GREEN ROOM - (RECEPTION AREA)</u>		<u>con't</u>	<u>WEEKDAYS / WEEKENDS</u>
Non Profit Organizations	Present		\$50.00
	Proposed		\$53.00
Commercial Organizations			
	Present		\$75.00
	Proposed		\$80.00

Schedule "B" as referred
to in item 5(b) of the
Third Report of the Parks
and Recreation Committee.

SCHEDULE B

NEW FEE STRUCTURE

PAGES 1 - 10

RENTAL RATES AND MINIMUM CHARGES FOR THE USE OF PARK FACILITIES

Schedule - (B)

VARIOUS PARKS (SOCCER PITCHES, FOOTBALL FIELDS, BALL DIAMONDS)	N/C - No Charge
-------------------------------------------------------------------	-----------------

Present	N/C
Proposed	\$2.00 per diamond allocated for each league on a seasonal basis.
	\$2.00 individual allocations upon request.

RENTAL RATES AND MINIMUM CHARGES FOR THE USE OF PARK FACILITIES

		Schedule - (B)		
		WEEKDAYS	WEEKENDS	HOLIDAYS
GLOBE PARK (BASEBALL)				
ADULT - GAME - PRACTICE	Present			\$5.00/morning/ afternoon/ evening
	Proposed			\$4/hour per diamond

RENTAL RATES AND MINIMUM CHARGES FOR THE USE OF PARK FACILITIES

Schedule - (B)

BERNIE ARBOUR/ MOHAWK SPORTS	WEEKDAYS		WEEKENDS		HOLIDAYS	
	DAYTIME	WITH LIGHTS	DAYTIME	WITH LIGHTS	DAYTIME	WITH LIGHTS
ADULT - GAME	Present					
	Proposed					
MINOR -GAME	Present					
	Proposed					
ADULT - PRACTICE	Present					
	Proposed					
(NEW CATEGORY '83)						
MINOR - PRACTICE	Present	N/A	N/A	N/A	N/A	N/A
	Proposed	\$5/hour	\$9/hour	\$11/hour	\$11/hour	\$14/hour
(NEW CATEGORY '83)						
LABOUR CHARGES (Where applicable)	Present - N/A					
	Proposed - Actual Costs					

* (RENTAL RATE OR PERCENTAGE OF GROSS GATE RECEIPTS, WHICHEVER IS GREATER)

RENTAL RATES AND MINIMUM CHARGES FOR THE USE OF PARK FACILITIES

Schedule (B)

		WEEKDAY		WEEKEND	
		DAYTIME	WITH LIGHTS	DAYTIME	WITH LIGHTS
DUNDURN PARK PAVILION					
<hr/>					
(NEW CATEGORY '83)					
ADMINISTRATION FEE FOR	Present			\$15	
CO-ORDINATION OF SPECIAL					
EVENT	Proposed			\$17	
<hr/>					
(NEW CATEGORY '83)					
PARK CLEAN-UP	Present	N/A		N/A	
CHARGES	Proposed	Actual Costs		Actual Costs	

RENTAL RATES AND MINIMUM CHARGES FOR THE USE OF PARK FACILITIES

Schedule - (B)

GAGE PARK BANDSHELL		WEEKDAYS / WEEKENDS
BANDSHELL CLEAN-UP	Present	N/A
	Proposed	\$25.00
PARK CLEAN-UP CHARGES		N/A
	Present	
	Proposed	Actual Costs

RENTAL RATES AND MINIMUM CHARGES FOR THE USE OF PARK FACILITIES

Schedule (B)

H.A.A.A. GROUNDS	WEEKDAYS			WEEKENDS			HOLIDAYS	
	DAYTIME	WITH LIGHTS	DAYTIME	DAYTIME	WITH LIGHTS	DAYTIME	DAYTIME	WITH LIGHTS
(NEW CATEGORY '83)								
MINOR - GAMES	Present	\$25 flat rate	\$40 min. \$50 max.	\$30 flat rate	\$45 min. \$55 max.	\$30 flat rate	\$45 min. \$55 max.	
	Proposed	\$7/hour	\$11/hr max.	\$8/hour	\$12/hr min. \$15/hr max.	\$9/hour	\$14/hr min. \$17/hr max.	
MINOR - PRACTICE	Present	\$15 flat rate	\$30 min. \$40 max.	\$20 flat rate	\$35 min. \$45 max.	\$20 flat rate	\$35 min. \$45 max.	
	Proposed	\$5/hour	\$10/hr max.	\$6/hour	\$11/hr min. \$14/hr max.	\$7/hour	\$12/hr min. \$15/hr max.	
(NEW CATEGORY '83)								
ADULT - GAME	Present					N/A	N/A	
	Proposed					\$10/hour	\$15/hr min. \$17/hr max.	
ADULT - PRACTICE	Present					N/A	N/A	
	Proposed					\$8/hour	\$13/hr min. \$17/hr max.	

RENTAL RATES AND MINIMUM CHARGES FOR THE USE OF PARK FACILITIES

Schedule - (B)

SACKVILLE HILL PARK (ENCLOSED FIELD)	WEEKDAYS		WEEKENDS		HOLIDAYS	
	DAYTIME	WITH LIGHTS	DAYTIME	WITH LIGHTS	DAYTIME	WITH LIGHTS
(NEW CATEGORY '83)						
ADULT	Present				\$30.00	
	Proposed				\$10/hour	
(NEW CATEGORY '83)						
MINOR	Present				\$25.00	
	Proposed				\$8/hour	
(NEW CATEGORY '83)						
PRACTICE	Present				\$25.00	
(ADULTS)	Proposed				\$8/hour	
(NEW CATEGORY '83)						
LABOUR CHARGES	Present - N/A					
(Where applicable)	Proposed - Actual Costs					
(NEW CATEGORY '83)						
MINOR SPORTS	Present	\$15 flat rate		\$25 flat rate	\$25 flat rate	
PRACTICE	Proposed	\$5/hour		\$7/hour	\$8/hour	

RENTAL RATE AND MINIMUM CHARGE FOR THE USE OF PARK FACILITIES

Schedule - (B)

	WEEKDAYS			WEEKENDS		HOLIDAYS	
	DAYTIME	WITH LIGHTS	DAYTIME	DAYTIME	WITH LIGHTS	DAYTIME	WITH LIGHTS
VICTORIA PARK (MAIN BALL DIAMOND)							
(NEW CATEGORY '83)							
ADULT	Present					\$40 or 15% *	\$55 or 15% *
	Proposed					\$13/hr or 15% *	\$17/hr or 15% *
(NEW CATEGORY '83)							
MINOR	Present					\$30 or 15% *	\$50 or 15% *
	Proposed					\$10/hr or 15% *	\$16/hr or 15% *
(NEW CATEGORY '83)							
PRACTICE	Present					\$20.00	\$30.00
	Proposed					\$7/hour	\$11/hour
(NEW CATEGORY '83)							
LABOUR CHARGES							
(Where applicable)	Present - N/A						
	Proposed - Actual Costs						

* (RENTAL RATE OR PERCENTAGE RATE OF GROSS GATE RECEIPTS, WHICHEVER IS GREATER)

RENTAL RATES AND MINIMUM CHARGES FOR THE USE OF PARK FACILITIES

Schedule - (B)

BRIAN TIMMIS STADIUM	WEEKDAYS		WEEKENDS		HOLIDAYS	
	DAYTIME	WITH LIGHTS	DAYTIME	WITH LIGHTS	DAYTIME	WITH LIGHTS
(NEW CATEGORY '83) Present						
SEMI-PRO					\$105 or 15%	\$120 or 15%
EVENT-Games Proposed					\$34/hr or 15%	\$39/hr or 15%
(NEW CATEGORY '83) Present						
AMATEUR					\$35 or 20%	\$45 or 20%
SPORTS						
GROUP-Games Proposed (ADULT)					\$15/hr or 20%	\$17/hr or 20%
(NEW CATEGORY '83) Present						
MINOR						
SPORTS					\$35 or 20%	\$45 or 20%
GROUP-Games Proposed					\$12/hr or 20%	\$15/hr or 20%
(NEW CATEGORY '83) Present						
PRACTICE					\$10	\$20
-ADULT					\$5/hr	\$6/hr
(NEW CATEGORY '83) Present - N/A						
SPECIAL EVENT RATE Proposed - Negotiable upon City Council approval						
(NEW CATEGORY '83)						
LABOUR CHARGES						
(Where applicable)	Present - N/A					
	Proposed - Actual Costs					
(NEW CATEGORY '83)						
MINOR SPORTS	Present	\$10 flat rate	\$20 flat rate	\$10 flat rate	\$20 flat rate	\$20 flat rate
PRACTICE	Proposed	\$3/hour	\$5/hour	\$3/hour	\$5/hour	\$5/hour

*(RENTAL RATE OR PERCENTAGE OF GROSS GATE RECEIPTS, WHICHEVER IS GREATER)

RENTAL RATES AND MINIMUM CHARGES FOR THE USE OF PARK FACILITIES

Schedule - (B)

IVOR WYNNE STADIUM	WEEKDAYS		WEEKENDS		HOLIDAY	
	DAYTIME	WITH LIGHTS	DAYTIME	WITH LIGHTS	DAYTIME	WITH LIGHTS
(NEW CATEGORY '83) PROFESSIONAL Present SPORTS-GAME Proposed (exclusive of Tl-Cats)					\$420 or 15% \$134/hr or 15% \$228/hr or 15%	\$710 or 15%
(NEW CATEGORY '83) SEMI-PRO Present EVENT-GAME Proposed					\$225 or 25% \$72/hr or 20%	\$375 or 25% \$121/hr or 20%
(NEW CATEGORY '83) AMATEUR Present ADULT SPORTS Proposed GAMES					\$125 or 20% \$43/hr or 20%	\$250 or 20% \$85/hr or 20%
(NEW CATEGORY '83) MINOR SPORTS Present GROUP-GAMES Proposed					\$115 or 15% \$37/hr or 15%	\$230 or 15% \$74/hr or 15%
(NEW CATEGORY '83) LABOUR Present CHARGES Proposed (where applicable)		N/A				
(NEW CATEGORY '83) MINOR - Present PRACTICE Proposed	\$30		\$8/hr		\$9/hour	
(NEW CATEGORY '83) ADULT-PRACTICE Present Proposed					\$30 \$10/hour	
(NEW CATEGORY '83) ELEMENTARY Present SCHOOLS Proposed		N/C - No Charge				
		\$2.00 flat rate morning/afternoon				

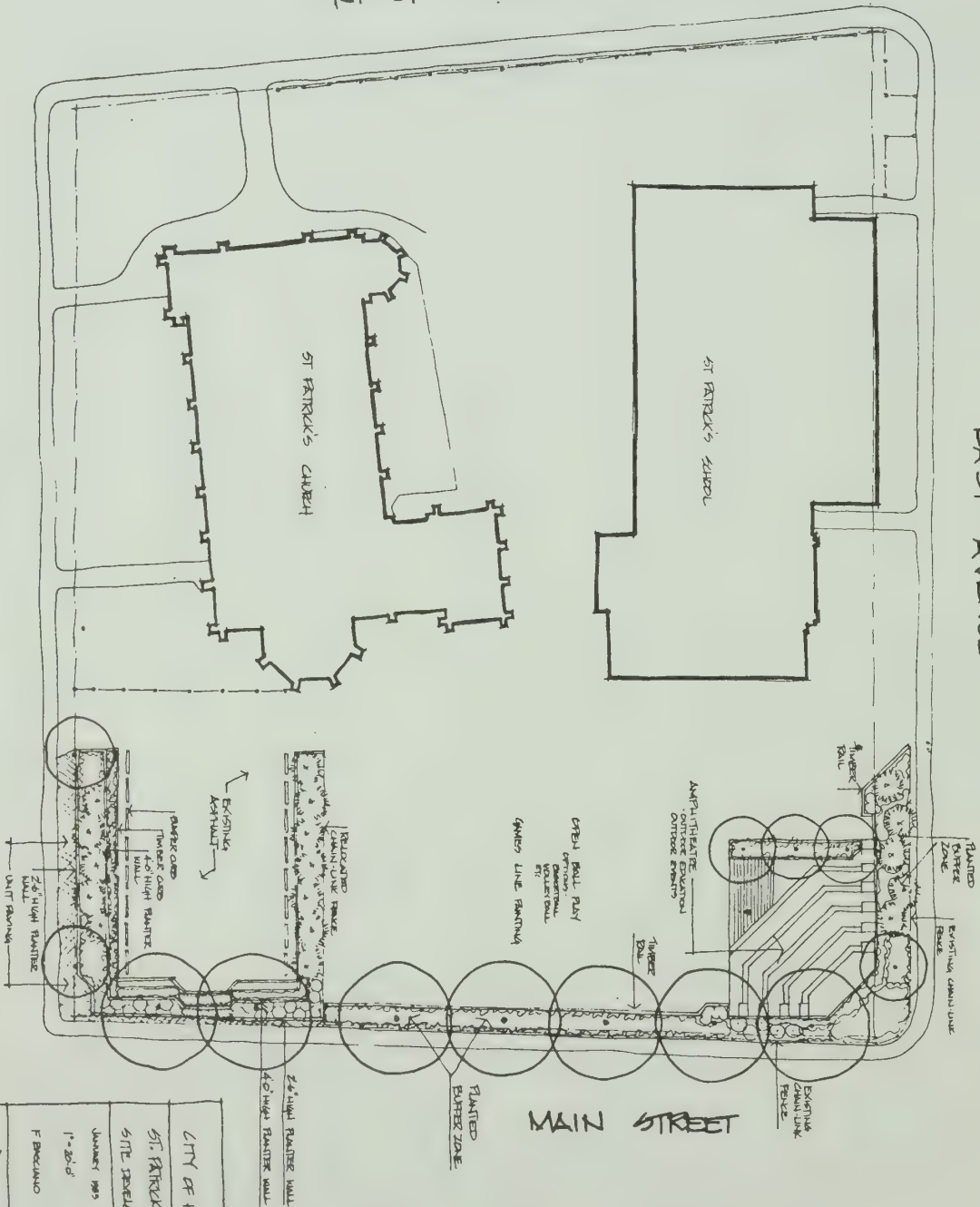
*(RENTAL RATE OR PERCENTAGE OF GROSS GATE RECEIPTS, WHICHEVER IS GREATER)

KING STREET

EAST AVENUE

VICTORIA STREET

MAIN STREET



ARCHITECTS & ONTARIO ASSOCIATION OF LANDSCAPE ARCHITECTS
FRANK L. PASQUAN
MEMBERS

NOCH

Personal

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its **THIRD** Report and respectfully recommends:

1. That the prelevy residential and non-residential mill rates for 1983 be established at figures slightly below 50% of the 1982 respective mill rates as follows:
 - (a) (i) That a real property tax prelevy mill rate of 102 mills be established for 1983 to be billed in two instalments of 51 mills each, payable February 28 and March 31, 1983. This prelevy rate represents 49.643% of the 1982 residential mill rate.
 - (ii) That a business tax prelevy mill rate of 120 mills be established for 1983, to be billed in one instalment, payable February 28, 1983. This prelevy rate represents 49.643% of the 1982 non-residential mill rate.
- (b) That a non-metered water and sewer surcharge prelevy be established on behalf of the Regional Municipality of Hamilton-Wentworth, based on approximately 50% of the 1982 charge, to be billed in two equal instalments, payable February 28 and March 31, 1983.
2. That the City Treasurer, in conjunction with the Commissioner of Finance for the Regional Municipality of Hamilton-Wentworth, be authorized to:
 - (a) continue negotiations with The Ontario Municipal Employees Retirement Systems (OMERS) to prepare a report on the possible transfer of The Hamilton Municipal Retirement Fund (HMRF);
 - (b) failing confirmation for the transfer of OMERS, the two Commissioners of Finance be authorized to prepare a report on the merits of assuming the responsibility for custodianship and investments of the HMRF Fund from National Trust Company.
3. (a) That City Council fully support the Board of Education for the City of Hamilton in its efforts to combat the proposal by the Ministry of Education whereby the tax levy from the Board would be increased as a result of pooling the non-residential tax base of the City of Hamilton with other municipalities on a province wide basis.
- (b) That the Inter-governmental Affairs Subcommittee of the Legislation Committee be requested to establish the method by which the City's position will be put forward to the Provincial Government. This position to include, among other things, a joint delegation with the Board of Education to meet with the appropriate representatives of the Provincial Government and securing the support of the area Members of the Provincial Parliament for the position of the Board of Education and the City of Hamilton

4. That inasmuch as the the Regional Engineering Department as of January 1, 1983, occupies 628 square feet of space formerly occupied by the City Architect's Department on the 5th floor of City Hall, the Regional Master Lease renewal terms pertaining to the Engineering Department, as adopted by City Council at its meeting December 14, 1982, be amended as follows:

Increase square footage leased from 2,100 sq. ft. to 2,768 sq. ft. @ \$7.68 per sq. ft. per annum for 1983 and \$8.06 per sq. ft. per annum for 1984.

As a result the total rent for the 5th floor will be increased from \$16,128.00 to \$21,258.24 in 1983 and from \$16,926.00 to \$22,310.08 in 1984.

Rental for 1985 to be negotiated 90 days prior to November 30, 1984.

5. (a) That By-laws 81-279 and 82-43 be repealed which would allow the City to revert back to By-law 79-314 which provides for a rate of 15% per annum for penalty and interest on tax arrears in accordance with The Municipal Act.

The revised rate being recommended is 1-1/4% per month or 15% per annum and this rate takes the place of 1-1/2% per month or 18% per annum.

- (b) That the rate be changed commencing March 1, 1983.

NOTE: Prior to July 1981, penalty and interest rates were imposed under provisions of The Municipal Act. In July 1981, the Province of Ontario passed The Municipal Interest and Discount Rates Act (Bill 121) which gave municipalities the flexibility of establishing rates more in keeping with the economic climate, because these rates were tied to the prime rates of the chartered banks.

In accordance with this legislation, City Council passed By-law 81-279 which increased the penalty and interest rates from 15% per annum to 22.25% per annum effective November 1, 1981. This rate was subsequently revised to 18% per annum effective March 1, 1982 with the passing of By-law 82-43, and is presently in effect.

6. With respect to the First Report of the Special Committee on Jobs which was referred to the Finance Committee by City Council at its meeting on January 11, 1983 the Finance Committee recommends approval of a grant not to exceed \$10,000. to the Wage Restraint and Unemployed Coordinating Committee (WRUCC) to underwrite the rental and utility costs of a Job Information Centre to be financed from Unclassified Account No. 0378-2785.
7. On September 14, 1982 the Finance Committee advised City Council that it had two (2) proposals, which it considered to be "interest of substance", with respect to the possible use of the former Main Library Building. On the recommendation of the Finance Committee, City Council agreed to take no action respecting the demolition of this structure until after the the Committee had concluded its consideration of these two proposals.

The Finance Committee wishes to advise that it is still considering proposals and has granted one proponent a further 90 day period to formalize his proposal, following which the Finance Committee will report to City Council.

8. That the City of Hamilton continue to participate for a further two year period in the Ontario Municipal Training Programme by hiring a trainee for the period July 1, 1983 to June 30, 1985. The City's share for 1983 will be \$3,750.00 and sufficient funds are contained in the City Clerk's Department Budget to finance this expenditure.
9. That leave be granted to introduce the following bill:

Bill C-5 A by-law to Borrow the Sum of \$7,500,000.00 to Finance Authorized Capital Projects Pending the Sale of Debentures for Projects Authorized as at December 31, 1982.

Respectfully submitted,

ALDERMAN P. J. PETERSON, CHAIRMAN
FINANCE COMMITTEE

J. J. Schatz, Secretary
January 20, 1983

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **THIRD** Report for 1983, and respectfully recommends:

1. That approval be given to **Zoning Application 82-48, Balfours Limited, owner**, requesting a change in zoning from "B" (Suburban Agriculture and Residential, etc.) District to "B-1" (Suburban Agriculture and Residential, etc.) District for property located on the west side of Garth Street, north of Scenic Drive, as shown on the attached plan marked as APPENDIX "A" on the following basis:-

- (a) That the subject lands be rezoned from "B" (Suburban Agriculture and Residential etc.) District to "B-1" (Suburban Agriculture and Residential etc.) District;
- (b) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W-25 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk;
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The By-law will provide for a change in zoning from "B" (Suburban Agricultural and Residential etc.) District to "B-1" (Suburban Agriculture and Residential, etc.) District for property located on the west side of Garth Street north of Scenic Drive the location of which is shown on Zoning District Map W-25. The purpose of the change in zoning is to permit a land severance for the creation of four single-family residential lots.

2. That approval be given to **Zoning Application 82-41, Duncan Beattie Insurance Agency Ltd., owner**, requesting a modification to the established "HH" (Restricted Commercial) District for property located at No. 1036 Upper Wentworth Street, as shown on the attached plan marked as APPENDIX "B" on the following basis:

- (a) That the "HH" (Restricted Commercial) District regulations, contained in Section 14A of By-law 6593 as amended by By-law No. 81-305 be further amended as follows:
 - (i) that notwithstanding section 2.(a) of By-law 81-305, a second storey addition may be added to the existing building;
 - (ii) that the addition referred to in clause (i) shall be for a single-family dwelling unit only, and the exterior walls of the addition shall maintain the same yards as existing for the present structure;
 - (iii) that notwithstanding section 14A(3) of By-law 6593 and section 3 of By-law 81-305, the existing front porch may be enclosed, and the addition of an attached carport shall be permitted on the north side of the existing building with its location restricted to the existing side and rear yards.

- (b) That the amending by-law be added to Section 19(b) of Zoning By-law 6593 as Schedule S-768a, and District Map E-18A be notated S-768a.
- (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 as amended by By-law 81-305 and Zoning District Map E-18A and make application to the Ontario Municipal Board for approval, on completion of its requirements by the City Clerk.
- (d) That the proposed change in the zoning by-law is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The purpose of the By-law is to provide for a further modification to the established "HH" (Restricted Commercial) District regulations for lands located at No. 1036 Upper Sentworth Street, as shown on Zoning District Map E-18A, to permit:

- o the enclosure of the front porch area;
- o the construction of a second floor dwelling unit; and
- o the construction of an attached carport on the north side of the building.

3. That approval be given to **Zoning Application ZA-82-58, Mrs. Zlatica Krmpotic, owner**, to establish modifications to the zoning regulations applicable to property located at No. 28 Burris Street, shown on the attached plan marked as APPENDIX "B" on the following basis:-

- (a) That the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District regulations applicable to the subject lands be modified to include the following variances and restrictions:
 - (i) that By-law No. 6593, as amended by By-law No. 77-08, be further amended by deleting clause 1.(a)2 of By-law No. 77-08;
 - (ii) that notwithstanding clause (i) of Subsection (1) of Section 10 of Zoning By-law No. 6593, the residential care facility shall be restricted to 21 residents of at least 60 years of age who cannot be cared for or live at home without supervision or assistance;
 - (iii) that notwithstanding clause (i) of Subsection (4) of Section 10 of Zoning By-law No. 6593, a minimum lot area of 279.16 m² and a minimum lot width of 11.86 m shall apply;
 - (iv) that the amending by-law be added to Section 19(b) of Zoning By-law No. 6593 as Schedule S-497a, and District Map E-22 be notated S-497a;
 - (v) that the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-22, and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk; and
 - (vi) that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The by-law will provide for a modification to the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to permit a residential care facility for a maximum of 21 residents of at least 60 years of age.

4. That approval be given to **City Initiative 82-L, City of Hamilton, owner**, to establish a modification to the zoning regulations applicable to the property located at the north-west corner of Gage Avenue North and Burlington Street East, as shown on the attached plan marked as APPENDIX "D" on the following basis:

- (a) That the "K" (Heavy Industrial) District regulations as contained in Section 17 of By-law No. 6593 applicable to the subject lands be modified to prohibit a restaurant use;
- (b) That the amending By-law be added to Section 19(b) of the Zoning By-law 6593 as Schedule S-806, and District Maps E-30 and E-31 be notated S-806;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-30 and E-31 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The purpose of the By-law is to prohibit a restaurant use from being established on City owned lands located at the north-west corner of Gage Avenue North and Burlington Street, within an established "K" (Heavy Industrial) District.

5. That approval be given to **Site Plan Control Application DA-82-58 by Jacqueline J. Schneider, owner**, to amend the approved plans to permit a 5-unit apartment complex at 13 and 15 Inglewood Drive, subject to the following:

- (a) that the owner enter into an encroachment agreement for any structures such as, but not limited to, the entrance posts and retaining wall which are, or will be, located on the road allowance; and
- (b) that the registered development agreement recorded as Instrument No. 208835 CD on March 2, 1982, be amended by the revised plans.

Note: The registered agreement relates to plans and drawings for a 6-unit apartment complex in an existing structure at 13 and 15 Inglewood Drive. The amending plans delete one unit and revise the related parking structures on the site.

6. That City Council request the Minister of Municipal Affairs and Housing to request the Ontario Municipal Board to appoint more Hearing Officers and schedule hearings sooner, as a means of expediting rezoning applications.

Explanatory Note - The Planning and Development Committee feels that the Ontario Municipal Board could reduce delays significantly by appointing more Hearing Officers and scheduling Hearings sooner. The time between requesting a hearing and holding the hearing is felt to be too long, and onerous, when new rental development is at stake.

7. That the request by **Samuel Lax and Sheridan Lax to amend the Official Plan from "Open Space" and "Open Water"** to permit a prestige industrial development and limited commercial, boating, and park uses at the west end of Simcoe Street, north of the Stuart Street Marshalling Yards, be **denied** for the reasons set out below, and that the Parks and Recreation Committee and the Hamilton and Region Conservation Authority be requested to consider the acquisition of the Lax Property and individual water lots.

An amendment to the Hamilton Official Plan as proposed by the applicants cannot be supported for the following reasons:-

- (a) it undermines the planning and development objectives of the City as it affects these strategic harbourfront lands;
- (b) it limits the opportunity for significant recreation on and access to the harbour; and
- (c) it is premature in terms of the uncertainties associated with the Perimeter Road.

8. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-

119 Bell Avenue

360 Kenilworth Avenue North

9. That the Chairman or his nominee be authorized to attend the IV Cities' Energy Conference to be held in Edmonton, Alberta, February 28, March 1 and 2, 1983.
10. That With reference to **Cardinal Heights Addition No. 5 - Phase 2" - 5 % Parkland Dedication -**
- (a) 5 % of the lands in this plan be subtracted from the owner's parkland credit balance, giving a remaining balance of 5974.51 m² (1.48 acres) - the balance to continue to be applied to remaining lands in the area;
 - (b) Block 39 be purchased from the owner, Abbotsford Homes Ltd. at a price and sale closing date to be established and agreed upon by the owner and City Council, upon the recommendation of the Parks and Recreation Committee; and
 - (c) Details of this transaction be included in the Subdivision Agreement.
11. That with reference to **"Almas Gardens - Phase 3"** -the Corporation of the City of Hamilton accept the sum of \$37,535.70 as cash payment in lieu of 5 % Parkland dedication.

Note: - These lands are located to the east of Upper Horning Road and to the south of the proposed Mountin Freeway in the Gurnett Neighbourhood, City of Hamilton.

12. Approval of the purchase of the following property required by the City as part of the overall acquisition of lands in the Alpha Enclave. This purchase to be charged to Account No.0280-35 (Reserve for Alpha Enclave).

Municipal Number 6 Alpha Street having a frontage along the easterly limit of Alpha Street of 20.00 feet (6.10 m) more or less, by a depth of 70 feet (21.34 m) more or less, together with the dwelling erected thereon from Lionel J. Lecouter and Shirley I. Lecouter, for the sum of \$24,000.00. Option dated December 14, 1982 to be accepted on or before February 1, 1983 - cash on closing of sale, which shall be on or before March 4, 1983.

13. That with reference to the **Repurchase of Part 4, Plan 62R-1174 (1292 Stone Church Road East) from Angelo Palazzo and Guiseppe Palazzo** the City of Hamilton initiate legal proceedings against the vendors for specific performance of the Agreement of Purchase and Sale and for damages incurred as a result of the Vendor's refusal to complete the transaction on time.
14. Approval of the awarding the following contracts:-

OTIS ELEVATOR CO. LTD., HAMILTON, ONTARIO

Convention Centre

To provide maintenance service for four Otis escalators located in the Hamilton Convention Centre as per Maintenance Contract dated November 18, 1982, from May 20, 1983 to December 31, 1983 at
\$1,726.00 per month **\$12,082.00**

Note: - Only acceptable supplier.

OTIS ELEVATOR CO. LTD., HAMILTON, ONTARIO

Library Market Complex

Maintenance Service for Elevators and Escalators at the Library and Farmers Market Complex for 1983 at
\$2,674.50 per month **\$32,094.00**

Note: - Only acceptable supplier.

WESTINGHOUSE CANADA INC., HAMILTON, ONTARIO

City Buildings

To provide a three-month extension to present contract for Electrical Maintenance for various Civic Buildings from January 1, 1983 to June 30, 1983 at
\$7,909.00 per month **\$23,727.00**

15. Approval of the list of applicants submitted herewith and authorization for the Department of Community Development to process grants and/or loans in an amount not to exceed \$7,500.00 with the actual amount of grant or loan to be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under The Housing Development Act - Ontario Home Renewal Programme.

That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme.

A. Minato
25 Magill Street

W. Oncea
430 Dundurn Street South

K. Smagez
127 Niagara Street

W. Leeman
179 Weir Street North

E. Dardarian
43 Gladstone Avenue

16. Approval of the list of applicants submitted herewith and authorization for the Department of Community Development to process grants and/or loans in an amount not to exceed \$7,500.00 with the actual amount of grant or loan to be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to By-law 78-113.

That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Hamilton Rehabilitation Programme.

A. Coridner
497 Charlton Avenue East

17. With reference to the Ontario Neighbourhood Improvement Programme in the Normanhurst Neighbourhood -

- (a) That the Director, Department of Community Development be authorized and directed to make a submission to The Ministry of Municipal Affairs and Housing, Province of Ontario, indication, in accordance with the Municipal eligibility criteria, the intent of the City of Hamilton to participate in the Ontario Neighbourhood Improvement Programme (O.N.I.P.) for the proposed Provincial fiscal funding year of 1983/1984;
- (b) That, for fiscal funding year 1983/1984, the Normanhurst Neighbourhood be designated, pursuant to the provisions of the O.N.I.P., with a gross project allocation of nine hundred thousand dollars (\$900,000.00); thereby seeking a Provincial grant in the amount of four hundred and fifty thousand dollars (\$450,000.00); and
- (c) That, in respect of (b) above, provision be made in the 1984 - 1988 Capital Budget for the City's share of the O.N.I.P. at a cost of four hundred and fifty thousand dollars (\$450,000.00).

Note: - As City Council will recall, an extreme demand from municipalities for O.N.I.P. funds resulted in the City having to amend its previous submission and thereby delete Normanhurst from the Programme. The Ministry of Municipal Affairs and Housing has advised however, that the O.N.I.P. may be continued in 1983/1984, providing us the opportunity to reinstate the previously-approved Normanhurst area as our next priority.

18. That the Department of Community Development administer the Corporate Sector Grants under the Provincial Government's Building Rehabilitation and Improvement Campaign. The Programme provides grants of up to 50 % of the restoration costs with a minimum expenditure of \$10,000.00. The grants are provided for privately owned properties which have been in use for industrial or commercial purposes for at least fifty (50) years. Exclusively residential use is acceptable if the building contains three (3) or more dwelling units.

Explanatory Note - For the information of City Council there are no capital financing requirements placed on the municipality since all applications for the grants are handled directly by the Ministry of Citizenship and Culture. The municipality will however, be required to hold an easement in perpetuity on the property to ensure that the heritage features are protected. The administration costs in connection with the programme are the responsibility of the municipality.

19. That the Mayor and City Clerk be authorized to execute the necessary Agreement (copy attached and marked as SCHEDULE "A") with the Ministry of Citizenship and Culture to enable the Department of Community Development to process Designated Property Grants to eligible owners of residential properties. The owners of designated heritage properties are eligible under the Building Rehabilitation and Improvement Campaign (B.R.I.C.) for a yearly grant, one half of eligible project costs to a maximum grant of \$2,000.00. The grant must be matched by an equal contribution from the owner.

Explanatory Note - For the information of City Council the Provincial grant is initially advanced by the Corporation and then reimbursed by the Province. The claims are submitted on a semi-annual basis and the Province will provide an additional 10 % to help defray administration costs. This provision will require the City to establish a clearing account to front end the costs. The maximum required for this account is not expected to exceed \$10,000.00. It is therefore required that the Finance Committee recommend a method of providing the funds.

20. With reference to the Ontario Neighbourhood Improvement Programme (O.N.I.P.) McQuesten Redevelopment Area; and, Adoption of a Redevelopment Plan for the Area, pursuant to Subsection (5), Section 22, The Planning Act, Province of Ontario -
- (a) That the Redevelopment Plan for the McQuesten Neighbourhood(s), as appended hereto and marked SCHEDULE "B", be adopted;
 - (b) That the City Solicitor be hereby authorized and directed to prepare and submit to City Council for approval, a by-law pursuant to the provisions of sub-section (5) Section 22 of The Planning Act, Province of Ontario, adopting the Plan to which reference is made in (a) above; and
 - (c) That the Director, Department of Community Development, be hereby authorized and directed to submit to The Minister of Municipal Affairs and Housing, Province of Ontario, for approval, in the manner as prescribed by the Minister, the Redevelopment Plan and By-law to which reference is made in (a) and (b) above respectively.
21. With reference to the establishment and appointment of a **Board of Management for the Downtown Improvement Area** -

That the City Solicitor be hereby authorized and directed to prepare for submission to City Council:

- (a) A by-law to establish a Board of Management for the Downtown Business Improvement Area as outlined in the report attached as SCHEDULE "C" pursuant to Section 217 of The Municipal Act, R.S.O. 1980;
- (b) A by-law to appoint the attached list of nominees to the Board of Management of the Towntown Improvement Area.

22. With reference to the **Downtown Business Improvement Area - 1983 Budget Estimates -**

That the Downtown Business Improvement Area's 1983 Budget of \$100,000.00 be approved as outlined in SCHEDULE "D" attached.

23. With reference to the **Ontario Home Renewal Programme (O.H.R.P.) - Application for Funds 1983-1984 -**

WHEREAS, pursuant to Section 2A (1), The Housing Development Act, Province of Ontario, and Regulation 506 (R.R.O. 1980), the Province of Ontario has made annual grants to municipalities for the purpose of implementing the Ontario Home Renewal Programme (O.H.R.P.); and

WHEREAS, the Corporation of the City of Hamilton is desirous of continuing to implement the Ontario Home Renewal Programme through application for, and subsequent disbursement of an annual grant for fiscal 1983/1984,

NOW THEREFORE it is recommended:-

- (i) That the Director, Department of Community Development, be hereby authorized and directed to make application on behalf of the City of Hamilton to the Minister of Municipal Affairs and Housing, Province of Ontario, requesting a grant pursuant to the provisions and regulations pertaining to the Ontario Home Renewal Programme.
- (ii) That the Corporation of the City of Hamilton seek, as required by the Minister of Municipal Affairs and Housing, a Resolution of the Council of the Regional Municipality of Hamilton-Wentworth, reaffirming that the Regional Municipality does not intend to participate in the Ontario Home Renewal Programme.

24. That leave be granted to introduce the following Bills:-

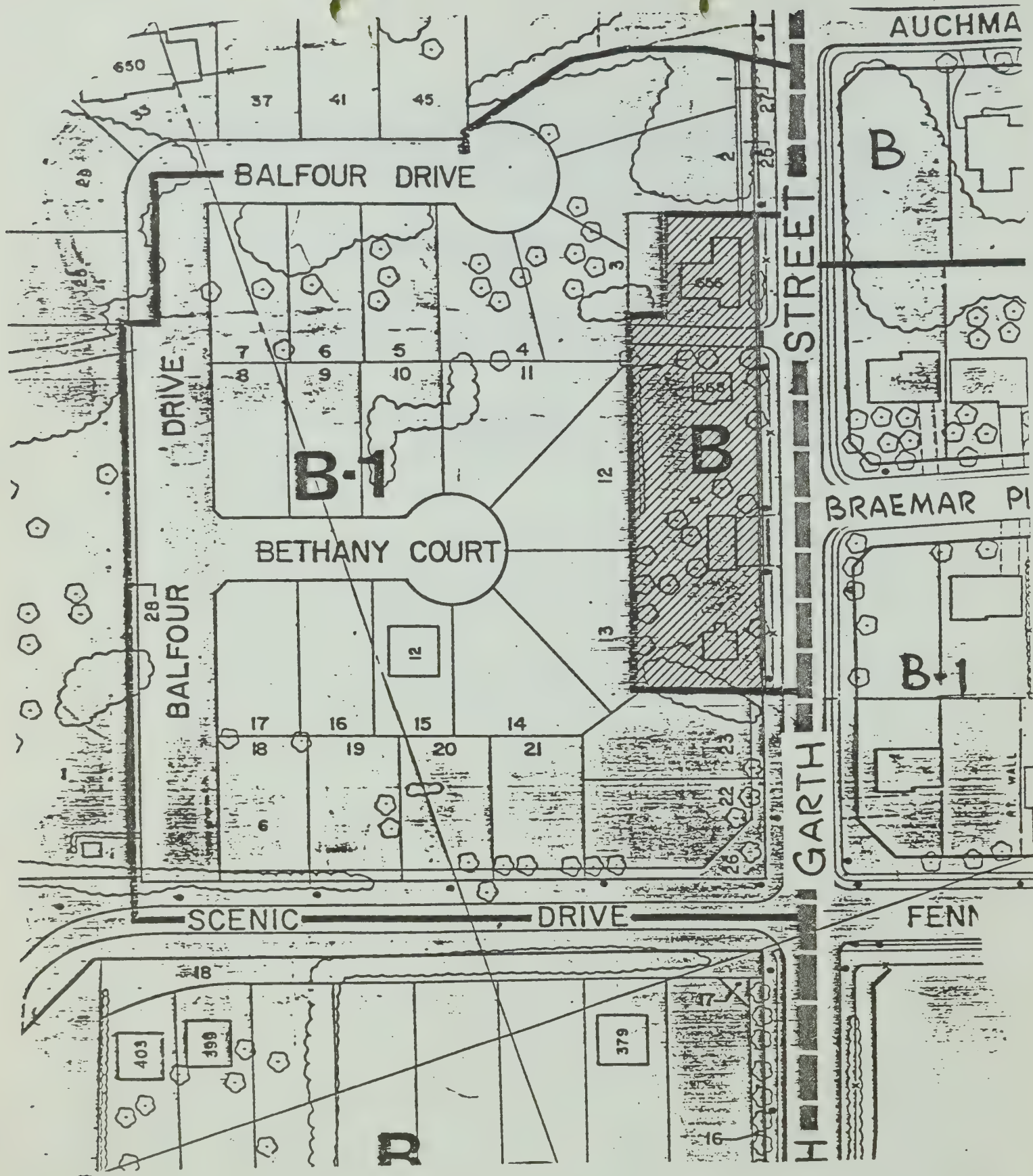
- (a) Bill D-19 - By-law to Authorize the Demolition and Clearing of the Garage Building and removal of the demolition debris at Municipal No. 297 Charlton Avenue West
- (b) Bill D-20 - By-law to Authorize the Demolition and Clearing of Buildings, Structures, Debris or Refuse at Municipal No. 190 Cavell Avenue
- (c) Bill D-21 - By-law to Change the Name of Gafney Drive to Gardiner Drive
- (d) Bill D-22 - By-law to Repeal Demolition By-laws 82-100 and 82-182
- (e) Bill D-23 - By-law to Amend Zoning By-law 6593 respecting the "H" (Community Shopping and Commercial, etc.) District

- (f) Bill D-24 - By-law to Adopt a Redevelopment Plan for the McQuesten Neighbourhood
- (g) Bill D-25 - By-law Amending Zoning By-law 6593, as amended by By-laws 75-34 and 77-8 respecting 28 Burris Street

Respectfully submitted

JDT:bg
January 12, 1983

Alderman W. M. McCulloch
Chairman



LEGEND.

APPENDIX "A"



SITE OF THE APPLICATION

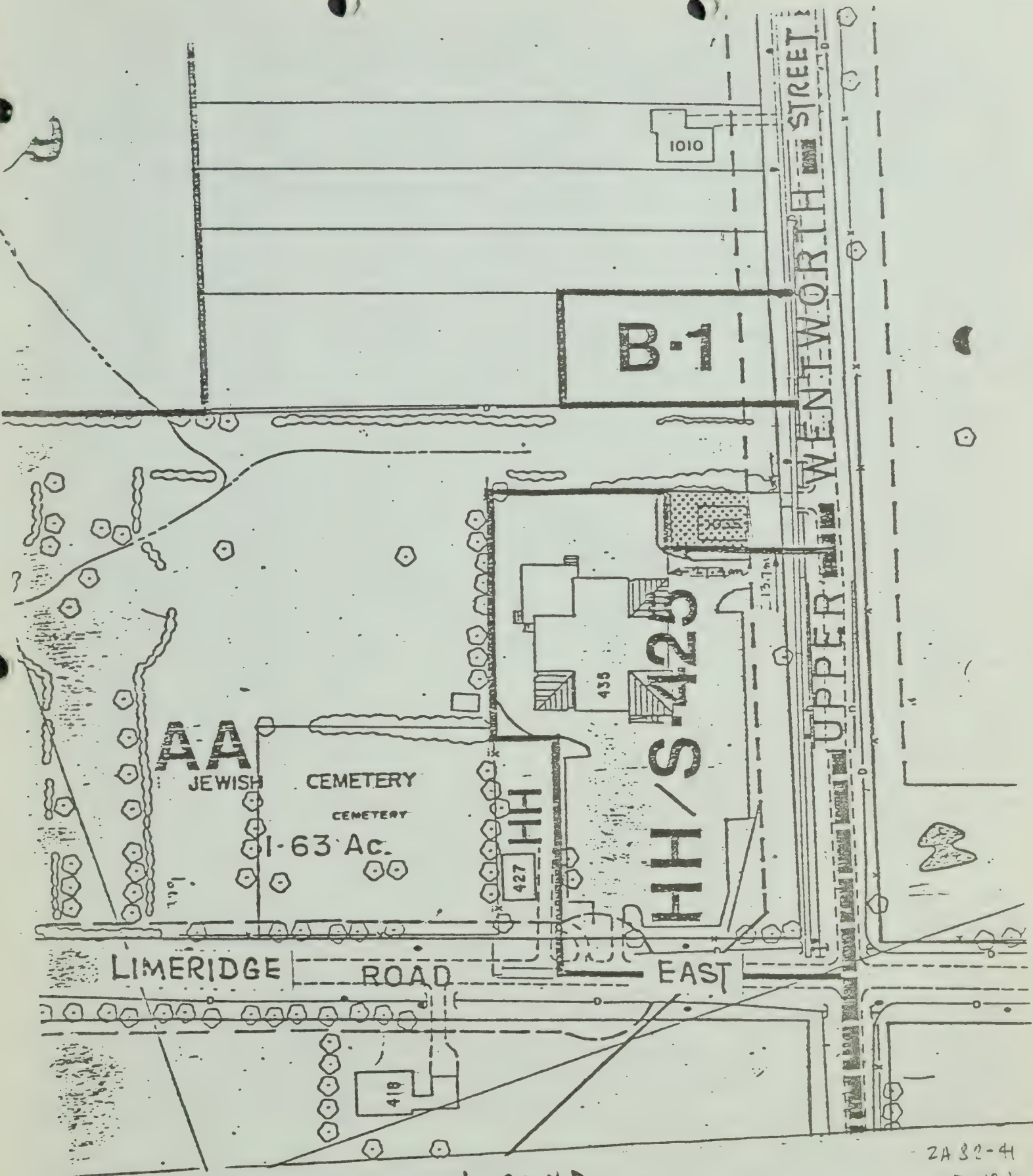
D-10

APPENDIX "A"



2A 32-48

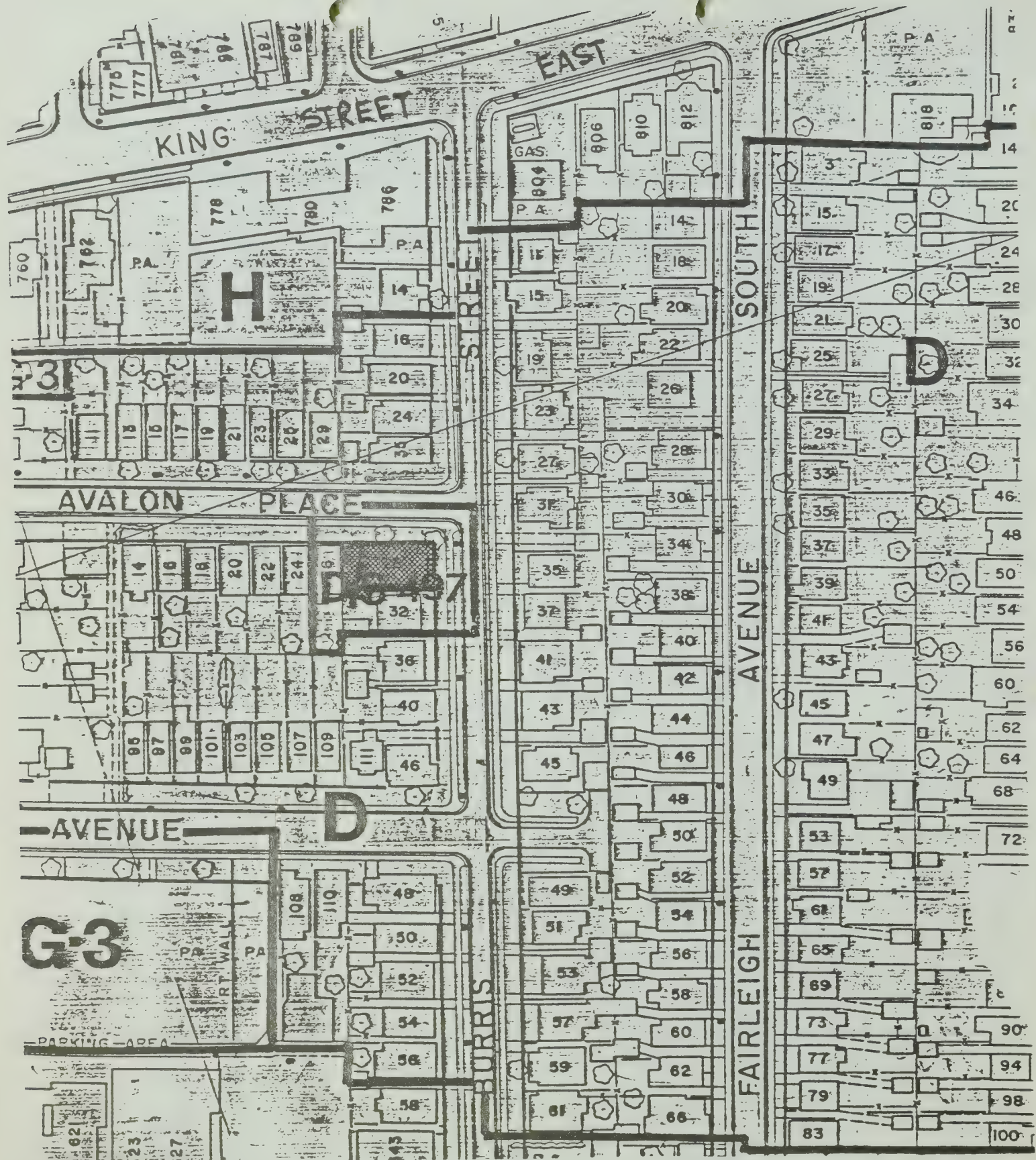
W-25



APPENDIX "B"

SITE OF THE APPLICATION

APPENDIX "B"



LEGEND.

APPENDIX "C"



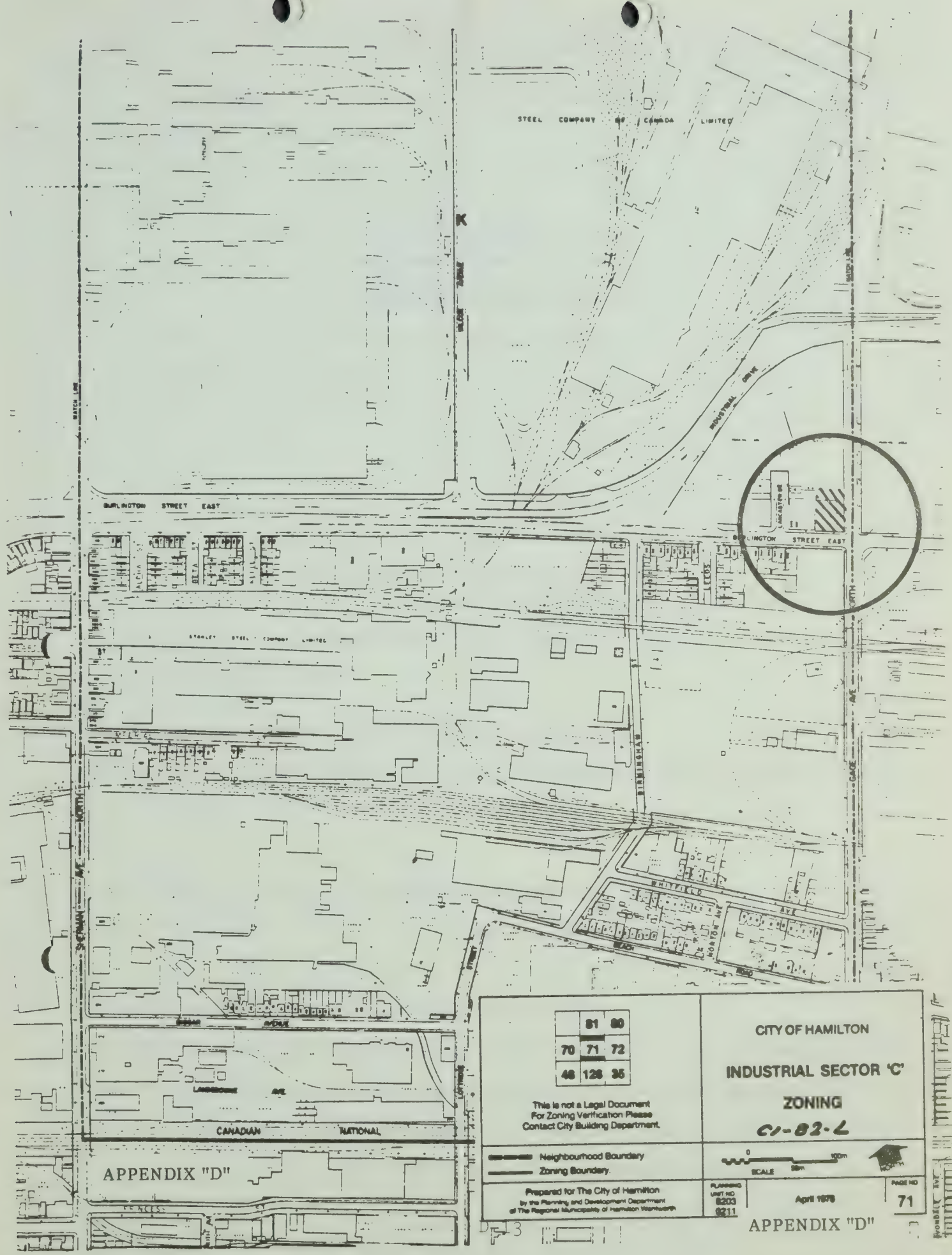
SITE OF THE APPLICATION

APPENDIX "C"



2A 32-53

E-22



<table border="1"> <tr><td>81</td><td>80</td></tr> <tr><td>70</td><td>71 72</td></tr> <tr><td>48</td><td>128 35</td></tr> </table> <p>This is not a Legal Document For Zoning Verification Please Contact City Building Department.</p>	81	80	70	71 72	48	128 35	<p>CITY OF HAMILTON</p> <p>INDUSTRIAL SECTOR 'C'</p> <p>ZONING</p> <p>C1-B2-L</p>
81	80						
70	71 72						
48	128 35						
<p>----- Neighbourhood Boundary</p> <p>----- Zoning Boundary.</p>	<p>0 100m</p> <p>SCALE 50m</p> <p>▲ NORTH</p>						
<p>Prepared for The City of Hamilton by the Planning and Development Department of The Regional Municipality of Hamilton Westchester</p>	<p>PLANNING UNIT NO. 8203 9211</p> <p>April 1978</p> <p>PAGE NO. 71</p>						

APPENDIX "D"

APPENDIX "D"

B E T W E E N:

HER MAJESTY THE QUEEN IN RIGHT OF
ONTARIO as represented by the
Minister of Citizenship and Culture
for the Province of Ontario,

(hereinafter called the "Ministry")

OF THE FIRST PART;

- and -

THE CORPORATION OF THE CITY
OF HAMILTON

(hereinafter called the "Municipality")

OF THE SECOND PART.

WHEREAS the Ministry wishes to contribute financially to
the conservation of buildings of historical or architectural significance in the
Province of Ontario;

AND WHEREAS the Municipality desires to aid the Ministry
in furthering the above-mentioned goal;

AND WHEREAS the Ministry has established the Designated
Property Grants Program (hereinafter referred to as the "Program") of the Building
Rehabilitation and Improvement Campaign, the purpose of which is to reimburse
municipalities for certain grants made under the authority of sections 39 or 45 of
the Ontario Heritage Act, R.S.O. 1980, c. 337;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and covenants contained herein, the parties agree as follows:

1.0 INTERPRETATION

1.1 "Eligible Property" means land within the Municipality which:

- (a) is owned or occupied by the applicant; and
- (b) is designated property under either Part IV or Part V of the Ontario Heritage Act; and
- (c) is property which has not previously been the subject of a grant under this Agreement within the calender year in which the application is made.

1.2 An "eligible project" is a project as defined in the Designated Property Grants Program Guidelines, as provided from time to time by the Ministry.

Where there is any dispute between the Ministry and the Municipality as to whether a project is an eligible project, the decision of the Ministry is final and binding on the parties.

1.3 "Expenses" means legitimate costs incurred in the course of the eligible project but does not include the value represented by voluntary contributions of time, labour, materials or other such things.

1.4 For the purposes of administering the Program, the Municipality shall refer to the Designated Property Grants Program Guidelines, but in the event of a conflict between a term of this Agreement and the Program Guidelines, the provisions of this Agreement shall govern.

2.0 GENERAL

2.1 Upon compliance by the Municipality with the terms of this Agreement, the Ministry hereby agrees to pay the Municipality the amount determined in paragraph 6.1.

2.2 The Municipality hereby agrees to abide by the terms of this Agreement and perform the duties mentioned herein in good faith and in a professional manner.

3.0 APPLICATIONS

3.1 The Municipality shall, upon the request of an owner of land within the Municipality or of a tenant of land acting with the written consent of the owner, provide and process applications for grants in respect of eligible properties.

3.2 An application provided under paragraph 3.1 shall be in a form substantially similar to that attached as Appendix "A" to this Agreement.

4.0 PROCESSING OF APPLICATIONS

4.1 The Municipality will process all applications received by the Municipality within a reasonable time.

4.2 Where the Municipality has appointed a Local Architectural Conservation Advisory Committee under section 28 of the Ontario Heritage Act, the Municipality shall refer all applications to the Local Architectural Conservation Advisory Committee for comments and a recommendation.

4.3 A recommendation of a Local Architectural Conservation Advisory Committee made under subparagraph 4.2 is not binding on the

Municipality.

4.4 The council of the Municipality, or a committee of council, shall dispose of every application received under this Program and may approve an application only if,

- (a) the application is made in respect of an eligible property;
- (b) the application is made in respect of an eligible project;
- (c) the application is supported by such photographs, sketches, blueprints, plans or other documentation as the council requires to judge the merits of the application; and
- (d) the application is made in respect of a project which has not yet been commenced.

4.5 The council of the Municipality or the committee of council shall not approve any application that does not meet the requirements listed in paragraph 4.4.

4.6 An approval granted under paragraph 4.4 may be qualified by limiting the amount of the grant payable in respect of the eligible project.

5.0 PAYMENT OF GRANT BY MUNICIPALITY

5.1 Subject to paragraphs 5.2 and 5.3, where the Municipality has inspected a project and is satisfied that it has been completed in a satisfactory manner, and where a claim for the payment of a grant has been submitted by the applicant, the Municipality may pay to the applicant any amount it deems reasonable, but the Province will reimburse the Municipality only the amount stipulated in paragraph 6.1.

5.2 No payment shall be made under paragraph 5.1 unless the claim for such payment is accompanied by invoices for expenses.

5.3 No payment shall be made under paragraph 5.1 unless the Municipality is satisfied that the application, the project and the claim for expenses are in conformity with this Agreement.

6.0 REIMBURSEMENT BY THE MINISTRY.

6.1 Where the Ministry is satisfied that the Municipality has processed an application and made a grant in accordance with this Agreement, it shall reimburse the Municipality an amount equal to the lesser of:

- (a) the amount of the applicant's claim to a maximum of 50% of the total amount of the invoices submitted under paragraph 5.2, or
- (b) \$2,000.00,

together with 10% of the amount to offset the administrative costs of the Municipality.

6.2 No reimbursement shall be made under paragraph 6.1 in respect of a project unless,

- (a) the Municipality has complied with each and every provision of this Agreement with respect to that project; and
- (b) the Municipality has completed and submitted claim For 'A' and 'B' attached hereto as Appendices 'B' and respectively, or forms that are substantially similar theret in respect of that project; and
- (c) the Municipality has submitted a colour photograph accurately depicting the completed project.

6.3 Notwithstanding paragraph 6.2 the Ministry may, in its absolute discretion, reimburse the Municipality where it considers that such reimbursement would be in keeping with the objectives of the Building Rehabilitation and Improvement Campaign.

6.4 A reimbursement made under paragraph 6.3 shall not exceed the amount the Municipality would have received but for its non-compliance with this Agreement.

6.5 Claims by the Municipality for reimbursement may be submitted to the Ministry in January and July only of each year.

6.6 The Ministry will endeavour to make payments to the Municipality within 90 days of receipt by the Ministry of the completed claims.

6.7 All reimbursement is subject to the availability of funds in the Program, and the Ministry reserves the right to make a pro rata distribution of available funds to Municipalities based on claims submitted.

7.0 ACCOUNTING

7.1 The Municipality agrees to keep and maintain all records, invoices and other documents relating to the Building Rehabilitation and Improvement Campaign in a manner consistent with generally accepted accounting principles and clerical practices.

7.2 The Municipality agrees that the Ministry and its agents have the right, at any reasonable time, to inspect any documents in the possession of or under the control of the Municipality and which relate to the Building Rehabilitation and Improvement Campaign.

7.3 The right of inspection under paragraph 7.2 includes the right to perform a full or partial audit.

8.0 PUBLICITY

8.1 The Municipality agrees to publicize the availability of

grants under this Agreement.

8.2 Publicity by the Municipality pursuant to paragraph 8.1 shall refer to the grant as one made pursuant to the Building Rehabilitation and Improvement Campaign, which will be identified as a provincially funded program.

9.0 TERMINATION

9.1 This Agreement will terminate on March 31, 1987, unless terminated earlier pursuant to paragraph 9.2.

9.2 This Agreement may be terminated by either party upon two months notice in writing being given to the other party.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals.

SIGNED, SEALED and DELIVERED

) HER MAJESTY THE QUEEN
) IN RIGHT OF ONTARIO
) as represented by:
)
)
)
)

) Deputy Minister of Citizenship and
) Culture for the Province
) of Ontario, pursuant to delegated
) authority
)
)

) THE CORPORATION OF THE CITY
) OF HAMILTON
)
)

) Per:
)
)
)

) Head of Council
)
)
)

) Clerk
)

Approved for signature of the Minister
of Citizenship and Culture by:

CORPORATION OF THE
CITY OF HAMILTON
ONTARIO NEIGHBOURHOOD IMPROVEMENT PROGRAMME
(O.N.I.P.)
McQUESTEN NEIGHBOURHOOD REDEVELOPMENT PLAN

DEPARTMENT OF
COMMUNITY DEVELOPMENT
1983 JANUARY

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APPENDIX 'B'	TABLE 1 McQUESTEN BUDGET
APPENDIX 'C'	TABLE 2 McQUESTEN CASH FLOW CHART
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A. INTRODUCTION

1. BACKGROUND:

THE ONTARIO NEIGHBOURHOOD IMPROVEMENT PROGRAMME (O.N.I.P.) IS A PROVINCIAL PROGRAMME DESIGNED TO ASSIST MUNICIPALITIES IN IMPROVING CONDITIONS IN OLDER DETERIORATING RESIDENTIAL NEIGHBOURHOODS. O.N.I.P. PROVIDES FUNDS TO DEVELOP AND IMPROVE SOCIAL AND RECREATIONAL FACILITIES (E.G. PARKS, PLAYGROUNDS, RECREATION CENTRES, ETC.). ALL ELIGIBLE ITEMS ARE JOINTLY FUNDED, WITH THE PROVINCIAL GOVERNMENT CONTRIBUTING 50% AND THE CITY OF HAMILTON CONTRIBUTING 50%.

2. AREA DESIGNATION:

IN ORDER TO BE ELIGIBLE FOR ASSISTANCE UNDER O.N.I.P., THE AREA TO BE DESIGNATED MUST MEET CERTAIN NEIGHBOURHOOD ELIGIBILITY CRITERIA ESTABLISHED BY PROVINCIAL PROGRAMME GUIDELINES. THE CURRENT CONDITIONS OF NEIGHBOURHOODS IN THE LOWER CITY WERE REVIEWED RELATIVE TO THE PROGRAMME CRITERIA. FOLLOWING THIS, NEIGHBOURHOODS WERE RANKED IN ORDER OF PRIORITY RELATIVE TO THE NEIGHBOURHOOD'S NEEDS. ON 1982 APRIL 13, HAMILTON CITY COUNCIL ADOPTED SECTION 17 OF THE SIXTH REPORT FOR 1982 OF THE PLANNING AND DEVELOPMENT COMMITTEE, DIRECTING

SUBMISSION OF AN APPLICATION TO THE PROVINCE OF ONTARIO, INDICATING, IN ACCORDANCE WITH THE MUNICIPAL ELIGIBILITY CRITERIA, THE INTENT OF THE CITY OF HAMILTON TO PARTICIPATE IN THE ONTARIO NEIGHBOURHOOD IMPROVEMENT PROGRAMME, AND FURTHER, THE AREA KNOWN AS THE MCQUESTEN NEIGHBOURHOOD BE DESIGNATED PURSUANT TO THE PROVISIONS OF O.N.I.P. ON 1982 JULY 09, THE HONOURABLE CLAUDE F. BENNETT, MINISTER OF MUNICIPAL AFFAIRS AND HOUSING, INFORMED THE CITY OF HAMILTON OF A PROVINCIAL ALLOCATION OF TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250 000) FOR THE MCQUESTEN NEIGHBOURHOOD, AT A GROSS TOTAL COST OF FIVE HUNDRED THOUSAND DOLLARS (\$500 000.)

SUBSEQUENTLY, THE DEPARTMENT OF COMMUNITY DEVELOPMENT, CITY OF HAMILTON, MADE FORMAL APPLICATION TO THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING FOR OFFICIAL DESIGNATION OF THE MCQUESTEN NEIGHBOURHOOD AS A REDEVELOPMENT AREA AND, ON 1982 NOVEMBER 05, THE HONOURABLE CLAUDE F. BENNETT GRANTED HIS APPROVAL FOR SUCH DESIGNATION PURSUANT TO SECTION 22(2) OF THE PLANNING ACT R.S.O. 1980.

3. CITIZEN PARTICIPATION:

IN ORDER THAT THE RESIDENTS AND PROPERTY OWNERS FROM THE MCQUESTEN REDEVELOPMENT AREA MIGHT CONTRIBUTE

TO THE IMPROVEMENT OF THE McQUESTEN NEIGHBOURHOOD, THE DEPARTMENT OF COMMUNITY DEVELOPMENT SENT A LETTER SIGNED BY THE ALDERMAN FOR WARD FIVE, WHEREIN THE McQUESTEN AREA IS LOCATED, TO THE TWO THOUSAND ONE HUNDRED AND THIRTY-EIGHT (2,138) RESIDENTS AND/OR PROPERTY OWNERS OF THE McQUESTEN NEIGHBOURHOOD. THE LETTER ADVISED THE RESIDENTS AS TO THE FEATURES OF THE ONTARIO NEIGHBOURHOOD IMPROVEMENT PROGRAMME AND ASKED THEM TO COMPLETE THE ENCLOSED QUESTIONNAIRE WHICH WOULD ASSIST IN DETERMINING THE NEEDS OF THE NEIGHBOURHOOD.

IN 1982 SEPTEMBER, A CITIZENS' NEIGHBOURHOOD PLANNING COMMITTEE WAS APPOINTED. THE THIRTEEN (13) MEMBER CITIZEN'S PLANNING COMMITTEE WAS APPOINTED BY THE TWO ALDERMEN FOR WARD FIVE.

THE PURPOSE AND SCOPE OF THE CITIZENS' NEIGHBOURHOOD PLANNING COMMITTEE WAS TO ASSIST IN THE PREPARATION, FROM A NEIGHBOURHOOD POINT OF VIEW, OF A REDEVELOPMENT PLAN FOR RECOMMENDATION TO THE PLANNING AND DEVELOPMENT COMMITTEE, HAMILTON CITY COUNCIL, AND THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING OF THE PROVINCE OF ONTARIO AND, SUBSEQUENTLY, TO ESTABLISH PRIORITY PROJECTS FOR IMPROVEMENTS TO THE McQUESTEN NEIGHBOURHOOD. THE CITIZENS' NEIGHBOURHOOD

PLANNING COMMITTEE WILL CONTINUALLY REVIEW COST
ESTIMATES OF PROJECTS PROPOSED FOR IMPLEMENTATION
UNDER THE ONTARIO NEIGHBOURHOOD IMPROVEMENT PROG-
RAMME AND WILL CONTINUE IN EXISTENCE FOR THE
FOUR-YEAR LIFE OF O.N.I.P. IN THE McQUESTEN AREA.

.../5

B. REDEVELOPMENT PLAN

1. PURPOSE AND SCOPE:

THE PURPOSE OF THE REDEVELOPMENT PLAN IS TO GUIDE FUTURE DEVELOPMENT IN THE McQUESTEN NEIGHBOURHOOD UNDER THE TERMS AND CONDITIONS OF THE ONTARIO NEIGHBOURHOOD IMPROVEMENT PROGRAMME (O.N.I.P.). CONSEQUENTLY, THE REDEVELOPMENT PLAN ISOLATES THOSE PROBLEMS WHICH PRESENTLY EXIST IN THE NEIGHBOURHOOD AND IDENTIFIES WAYS AND MEANS TO ALLEVIATE THESE PROBLEMS.

CONSIDERING BOTH THE FINANCIAL AND TIME CONSTRAINTS OF THE ONTARIO NEIGHBOURHOOD IMPROVEMENT PROGRAMME, IT IS HIGHLY UNLIKELY THAT ALL OF THE PROPOSED ACTIONS IN THE McQUESTEN REDEVELOPMENT PLAN CAN BE ACTED UPON WITHIN THE FOUR-YEAR TIME LIMIT. THEREFORE, IT WILL BE NECESSARY FOR THE CITIZENS' NEIGHBOURHOOD PLANNING COMMITTEE TO ESTABLISH A PRIORITY LIST OF PROJECTS WHICH WILL ACCOUNT FOR, AND RESOLVE, THE MOST SERIOUS AND PREVALENT OF THE PROBLEMS AND DEMANDS GENERATED IN THE McQUESTEN NEIGHBOURHOOD.

2. NEIGHBOURHOOD PROFILE:

THE McQUESTEN REDEVELOPMENT AREA IS A COMBINATION OF TWO CITY PLANNING AREAS, (AS DEFINED BY THE

PLANNING DEPARTMENT OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH) THE McQUESTEN EAST AND THE McQUESTEN WEST NEIGHBOURHOODS. CERTAIN PORTIONS OF THE DEFINED "PLANNING AREAS" HAVE BEEN DELETED FROM THE REDEVELOPMENT AREA, E.G. THE INDUSTRIAL SECTION NORTH OF MELVIN STREET IN McQUESTEN WEST NEIGHBOURHOOD.

THE REDEVELOPMENT AREA IS GENERALLY BOUNDED TO THE NORTH BY MELVIN AVENUE AND THE C.N.R. MAINLINE, TO THE EAST BY THE RED HILL CREEK EMBANKMENT, TO THE SOUTH BY QUEENSTON ROAD AND TO THE WEST BY NORTH AND SOUTH PARKDALE AVENUE AND WOODWARD AVENUE. THERE ARE APPROXIMATELY 110 HECTARES (273 ACRES) IN THE McQUESTEN REDEVELOPMENT AREA. THE POPULATION OF THE McQUESTEN EAST AND WEST PLANNING AREAS HAS DECLINED 11.19 PERCENT FROM 8,733 IN 1976 TO 7,755 IN 1980 (REGIONAL ASSESSMENT - MINISTRY OF REVENUE). THE AVERAGE HOUSEHOLD INCOME FOR THE McQUESTEN NEIGHBOURHOODS IS FIFTEEN THOUSAND FIVE HUNDRED AND FIFTY SIX DOLLARS (15,556.) SOMEWHAT LOWER THAN THE CITY AVERAGE OF SEVENTEEN THOUSAND SIX HUNDRED AND SIXTY-SEVEN DOLLARS (\$17,667.) (COMPU-SEARCH AND MARKET SOCIAL RESEARCH LTD. 1976)

A LARGE PORTION OF THE HOUSING STOCK WAS DEVELOPED DURING 1912-1913, THEN IN 1952 AND THE MOST⁴ RECENT SUBDIVISION BEING BUILT IN 1967. (REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH, REGISTERED PLANS OF SUBDIVISIONS). APPROXIMATELY HALF (50.8 PERCENT) OF THE HOUSES ARE OWNER-OCCUPIED (MCQUESTEN NEIGHBOURHOOD NEEDS STUDY). OF THE TWO THOUSAND EIGHT HUNDRED AND SIXTY-NINE (2,869) DWELLING UNITS IN THE AREA, 64.1 PERCENT ARE SINGLE FAMILY HOUSES, 2.8 PERCENT ARE DUPLEXES, 10.3 PERCENT ARE SEMI-DETACHED, 16.5 PERCENT ARE TOWNHOUSES, 0.8 PERCENT ARE 3 - 4 FAMILY HOUSE, 2.4 PERCENT ARE LOCATED ABOVE A COMMERCIAL BUSINESS, 2.8 PERCENT ARE HIGH RISE APARTMENTS AND 0.2 PERCENT ARE LOW RISE APARTMENTS (BELOW FIVE STORIES) (NEIGHBOURHOOD NEEDS QUESTIONNAIRE).

THE NEIGHBOURHOOD IS CHARACTERIZED BY STABLE LOW DENSITY RESIDENTIAL DEVELOPMENT WITH COMMERCIAL AND INSTITUTIONAL USES MAINLY ON ARTERIAL ROADS. THE REDEVELOPMENT AREA HAS SPORADIC, COMMERCIAL DEVELOPMENT ON MAJOR ARTERIAL ROADS (E.G. QUEENSTON ROAD AND MELVIN AVENUE). THE REDEVELOPMENT AREA IS WELL SERVED BY SCHOOLS AND CHURCHES.

NEIGHBOURHOOD PROBLEMS

THE FOLLOWING LIST OF PROBLEMS WITHIN THE AREA IS A RESULT OF AN ANALYSIS OF NEIGHBOURHOOD QUESTIONNAIRE RETURNS AS WELL AS CONTINUING DIALOGUE WITH THE RESIDENTS OF THE AREA.

A. DEFICIENCY OF DEVELOPED PARKLAND AND OPEN SPACE IN THE McQUESTEN NEIGHBOURHOOD

THE McQUESTEN NEIGHBOURHOOD HAS SUFFICIENT OPEN SPACE WHICH LENDS ITSELF TO RECREATIONAL USES. HOWEVER, THIS OPEN SPACE IS LARGELY UNDEVELOPED. THERE IS ONLY ONE DESIGNATED PARK IN THE AREA, ROXBOROUGH PARK, LOCATED AT REID AND AYR STREETS. THERE IS SUBSTANTIAL POTENTIAL FOR REDEVELOPMENT AT THIS SITE.

B. LACK OF COMMUNITY RECREATIONAL FACILITIES

C. TRAFFIC FLOW

D. CONDITION OF STREETS AND SIDEWALKS

E. AIR POLLUTION

F. NOISE POLLUTION

.../9

G. DUST AND DIRT POLLUTION

H. CRIME

I. BUILDING CONDITIONS IN SOME AREAS OF THE
NEIGHBOURHOOD ARE DETERIORATING.

J. JUVENILE DELINQUENCY

NEIGHBOURHOOD PROGRAMME

OBJECTIVE 1

1. INCREASE THE AMOUNT OF USEABLE PARK/OPEN SPACE.

PROPOSED ACTION 1

A) EXAMINE THE POSSIBILITY OF DEVELOPING A RECREA-
TIONAL FACILITY IN THE AREA NORTH OF MELVIN AVENUE
TO SERVE THE RESIDENTS OF THIS AREA.

B) IMPROVE THE BOARD OF EDUCATION PROPERTY AT
HILLSDALE AND HILLCREST SCHOOLS: ALSO DEVELOP
CITY-OWNED PROPERTY AT THIS SITE. EXAMINE
THE POSSIBILITY OF A SHARED USE OF SCHOOL AND
CHURCH FACILITIES (CHURCH OF THE GOOD SHEPHERD)
BY THE GENERAL PUBLIC AT THIS SITE.

C) IMPROVE SEPARATE SCHOOL BOARD PROPERTY AT ST.
HELEN'S SCHOOL.

.../10

- D) UPGRADE THE FACILITIES AT ROXBOROUGH PARK.
- E) IMPROVE BOARD OF EDUCATION PROPERTY AND CITY-OWNED PROPERTY IN THE ROXBOROUGH PARK PUBLIC SCHOOL AREA.
- F) ESTABLISH A COMMUNITY/NEIGHBOURHOOD CENTRE AT THE MOST SUITABLE SITE IN McQUESTEN NEIGHBOURHOOD. SITES BEING CONSIDERED ARE ROXBOROUGH PARK/SCHOOL AREA AND HILLCREST SCHOOL AREA.
- G) EXAMINE THE FEASIBILITY OF USING EAST HAVEN SCHOOL AND GROUNDS FOR NEIGHBOURHOOD USE.

OBJECTIVE 2

- 2. ENCOURAGE NEIGHBOURHOOD FACILITIES SERVING THE GENERAL NEEDS OF THE COMMUNITY.

PROPOSED ACTION 2

- A) ASSIST WHERE THERE IS A DEMONSTRATED NEED, IN THE IMPROVEMENT AND/OR ESTABLISHMENT OF SOCIALLY-ORIENTED CENTRES.

OBJECTIVE 3

- 3. PROVIDE A SOLUTION TO TRAFFIC PROBLEMS IDENTIFIED IN THE NEIGHBOURHOOD.

PROPOSED ACTION 3

- A) RECOMMEND THAT THE TRAFFIC SITUATION BE REVIEWED AND SOLUTIONS BE IMPLEMENTED AS IDENTIFIED.

OBJECTIVE 4

4. ENHANCE THE PHYSICAL APPEARANCE, STRUCTURAL SOUNDNESS AND SAFETY OF ALL PROPERTY IN THE NEIGHBOURHOOD.

PROPOSED ACTION 4

- A) THAT THE CITY OF HAMILTON ACTIVELY ENFORCE THE PROPERTY STANDARDS BY-LAW (74-74) FOR ALL PROPERTIES IN THE AREA, AND THIS ENFORCEMENT BE TEMPERED WITH ENCOURAGEMENT, ADVICE AND ASSISTANCE.
- B) IN CONJUNCTION WITH BY-LAW 74-74, A REHABILITATION PROGRAMME BE IMPLEMENTED TO CONSERVE AND IMPROVE THOSE AREAS OF THE NEIGHBOURHOOD THAT REQUIRE SUCH ATTENTION.
- C) THAT IMPLEMENTATION OF ANY RELEVANT GOVERNMENT PROGRAMME WHICH ENCOURAGES THE IMPROVEMENT, REHABILITATION AND CONSERVATION OF EXISTING STRUCTURES BE CARRIED OUT BY THE DEPARTMENT OF COMMUNITY DEVELOPMENT.

- D) THAT SELECTED RESIDENTIAL DWELLINGS WHICH ARE DEEMED TO BE BEYOND A REASONABLE LEVEL OF ECONOMIC REHABILITATION IN CONSIDERATION OF THE CITY OF HAMILTON'S PROPERTY STANDARDS BY-LAW (74-74), BE CONSIDERED FOR PURCHASE UNDER THE PROVISIONS OF THE LEGISLATION GOVERNING THE ONTARIO NEIGHBOURHOOD IMPROVEMENT PROGRAMME. ANY SUCH PROPERTIES WILL BE CLEARED FOR THE PRIMARY PURPOSE OF PROVIDING NEW HOUSING FOR INDIVIDUALS OR FAMILIES OF LOW TO MODERATE INCOME. THE PRECEEDING DOES NOT PRECLUDE THE FACT THAT SOME LANDS SO ACQUIRED MAY ULTIMATELY BE USED FOR THE PROVISION OF OPEN SPACE OF COMMUNITY FACILITIES WITHIN THE DESIGNATED O.N.I.P. AREA,

OBJECTIVE 5

5. IMPROVE THE HARD SERVICES IN THE AREA SO THAT THEY CAN REFLECT AT LEAST THE MINIMUM STANDARD OF APPEARANCE AND/OR REPAIR.

PROPOSED ACTION 5

- A) WORK IN CO-ORDINATION WITH THE REGIONAL ENGINEERING DEPARTMENT ON BEHALF OF THE CITY TO IMPROVE THOSE SERVICES PRESENTLY LACKING IN THE AREA, INCLUDING ROADS, SIDEWALKS, LIGHTING, ETC.

OBJECTIVE 6

6. IMPROVE THE QUALITY OF THE ENVIRONMENT FOR THE RESIDENTS OF THE AREA.

PROPOSED ACTION 6

- A) WORK CLOSELY WITH THE RELEVANT AGENCIES AND DEPARTMENTS, CITIZENS AND COMMUNITY GROUPS TO TAKE ADVANTAGE OF VARIOUS GRANTS, PROGRAMMES AND PLANS AVAILABLE TO IMPROVE THE QUALITY OF THE ENVIRONMENT OF THE McQUESTEN NEIGHBOURHOOD.

OBJECTIVE 7

7. REDUCE THE AMOUNT OF VANDALISM AND CRIME IN THE McQUESTEN NEIGHBOURHOOD.

PROPOSED ACTION 7

- A) WORK WITH THE RELEVANT AGENCIES AND DEPARTMENTS TO ENSURE ALL AVAILABLE PROGRAMS ARE UTILIZED TO DECREASE THE DEGREE OF CRIME AND VANDALISM IN THE AREA.

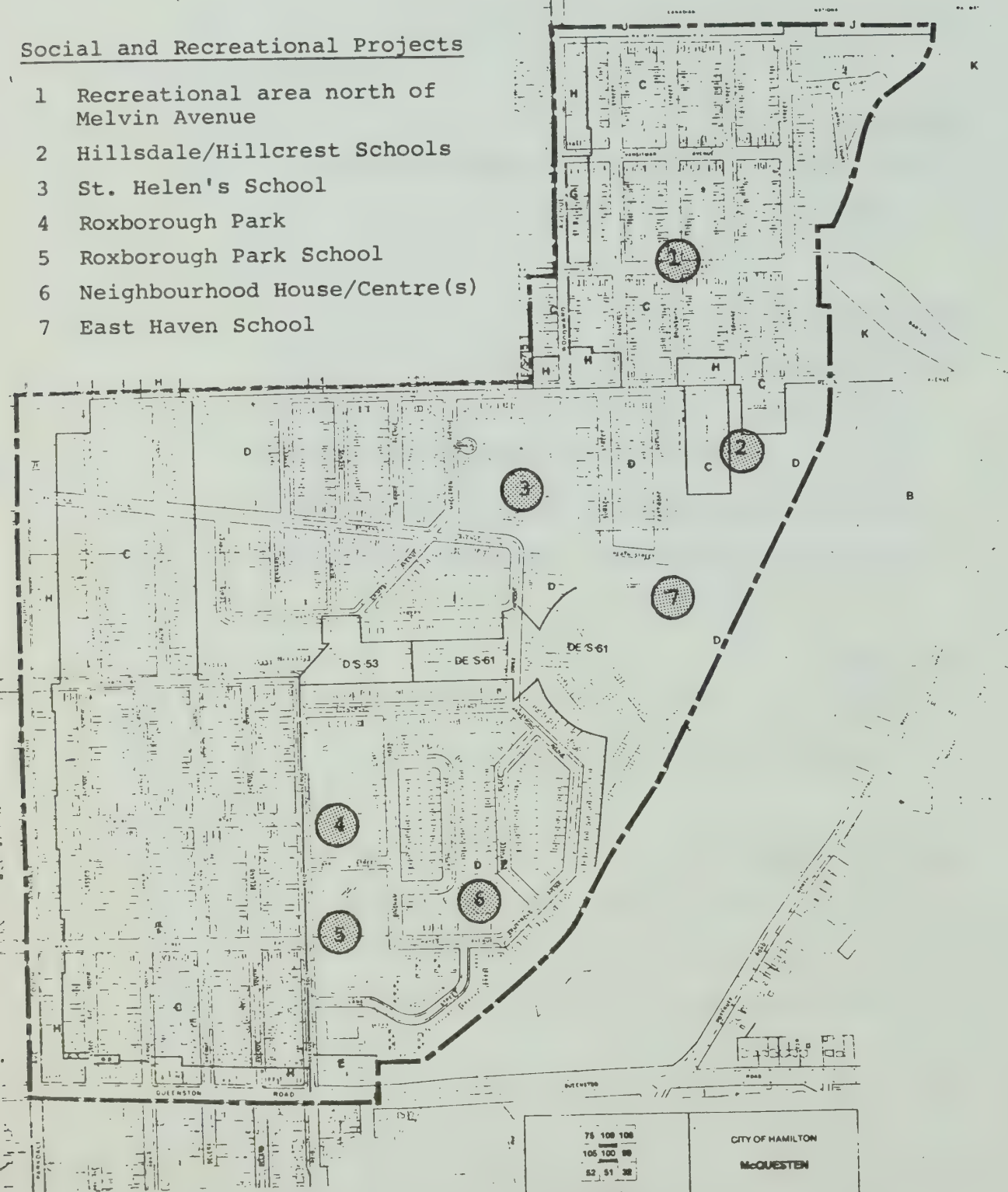
APPENDIX 'A'

MAP 1

McQUESTEN REDEVELOPMENT AREA

Social and Recreational Projects

- 1 Recreational area north of
Melvin Avenue
- 2 Hillsdale/Hillcrest Schools
- 3 St. Helen's School
- 4 Roxborough Park
- 5 Roxborough Park School
- 6 Neighbourhood House/Centre(s)
- 7 East Haven School



McQUESTEN REDEVELOPMENT AREA (O.N.I.P.)

75 100 100 105 100 90 52 51 30	CITY OF HAMILTON McQUESTEN
This is not a Legal Document For Zoning Verification Please Contact City Building Department	
Neighbourhood Boundary Zoning Boundary	SCALE 0 50 100 Feet April 1995
Prepared for The City of Hamilton by the Planning and Development Department of The Regional Municipality of Hamilton-Wentworth	

APPENDIX 'B'

TABLE 1

McQUESTEN BUDGET*

	TOTAL 100%	PROVINCIAL 50%	MUNICIPAL 50%
<u>SOCIAL & RECREATIONAL</u>			
A) RECREATIONAL AREA NORTH OF MELVIN AVENUE	\$ 17,500	\$ 8,750	\$ 8,750
B) HILLSDALE/HILLCREST SCHOOL AREAS	60,000	30,000	30,000
C) ST. HELEN'S SCHOOL GROUNDS	50,000	25,000	25,000
D) ROXBOROUGH PARK	30,000	15,000	15,000
E) ROXBOROUGH PARK PUBLIC SCHOOL GROUNDS	30,000	15,000	15,000
F) NEIGHBOURHOOD HOUSE/ CENTRE(S)	95,000	47,500	47,500
G) EAST HAVEN SCHOOL GROUNDS	15,000	7,500	7,500
<u>HARD SERVICES</u>			
A) ROADS AND STREETS	86,500	43,250	43,250
B) CURBS AND SIDEWALKS	31,000	15,500	15,500
C) STREET LIGHTING & UTILITIES	20,000	10,000	10,000
<u>ADMINISTRATION</u>	<u>65,000</u>	<u>32,500</u>	<u>32,500</u>
TOTAL...	<u>\$500,000</u>	<u>\$250,000</u>	<u>\$250,000</u>

* ABOVE COST BREAKDOWNS ARE ESTIMATES ONLY AND ARE PROVIDED TO FULFILL PROVINCIAL BUDGETARY REQUIREMENTS. THESE ESTIMATES ARE SUBJECT TO CHANGE. PROVIDING PROGRAMME FUNDING REQUIREMENTS ARE ADHERED TO, SUCH CHANGES WILL BE INTERNAL BUDGET TRANSFERS AND WILL NOT REQUIRE APPROVAL UNDER SECTION 22(7) OF THE PLANNING ACT.

APPENDIX 'C'

TABLE 2

MCQUESTEN CASH FLOW CHART

(\$500,000. GROSS ALLOCATION)

PROJECT	DEC/83	DEC/84	DEC/85	MAR/86
SOCIAL & RECREATIONAL	\$125,000	\$100,000	\$ 72,500	(68.39%)
HARD SERVICES	\$ 31,000	86,500	20,000	(31.61%)
ADMINISTRATION	21,666	21,000	21,000	1,334 (15%)
TOTAL...	\$177,666	\$207,500	\$113,500	\$1,334

APPENDIX 'D'

MCQUESTEN REDEVELOPMENT PLAN

INDEX OF CHARTS:

MCQUESTEN NEIGHBOURHOOD NEEDS STUDY

<u>CHART NO</u>	<u>SUBJECT</u>
1	Type of Residency
2	Length of Residency
3	Size of Household
4	Age Groups
5	Employment
6	Annual Gross Income
7	Language
8	Type of Accommodation
9	Present State:
	Plumbing Chimney
	Heating Eavestrough
	Wiring Roof
	Floors Foundation
	Walls Fire Escape
	Porches Insulation
10	Housing Maintenance Cost
11	Resident Interest in Loan Programme
12	Resident Use of Social Services
13	Resident Participation in Community Organizations
14	Resident Need for Social Service Agencies
	Marriage Counselling
	Family Counselling
	Services for Elderly
	Day Care
	Homemaking Services
	Recreational Facilities
	Drug Counselling
	Job Counselling
	Language Interpretation
	Legal Aid
	Welfare Counselling
	Medical Health Clinic
	Mental Health Clinic
	Consumer Assistance
	Child Lunch Program
	General Information and Referral
	Adult Education or Retraining

CHART NO

SUBJECT

- | | |
|----|------------------------------------------------------------|
| 15 | Neighbourhood Conditions |
| | Parking |
| | Recreation Facilities |
| | Pollution |
| | Parkland |
| | Snow Removal (Private Property) |
| | Juvenile Delinquency |
| | Traffic Flow |
| | Commercial Truck Movement |
| | Crime |
| | Housing Conditions |
| | Proximity to Industries |
| | Streets and Sidewalks |
| | Police Protection |
| 16 | Condition of Parks and Recreation Facilities |
| | Amount of park and playground space for children |
| | Amount of park space for adults |
| | Ease of reaching park of playground space |
| | Number of recreational facilities and programmes available |
| | Condition of existing parkland and recreational equipment |
| 17 | Demolition of residential dwellings for parks/open space |
| 18 | Neighbourhood Needs |
| | Swimming |
| | Tennis Courts |
| | Activities for Elderly |
| | Passive Park Area |
| | Recreation Centre |
| | Playgrounds for Young Children |
| | Skating Rink Area |
| | Improvement of existing parks and recreational facilities |

ARE YOU:

Area	Homeowner	Tenant	Both
Neigh.	50.8	35.6	13.0
1	68.1	12.5	18.1
2	64.2	17.9	17.9
3	28.4	63.4	7.8
4	63.9	13.9	16.3

HOW LONG HAVE YOU LIVED IN YOUR PRESENT ACCOMMODATION?

Area	Less than 1 year	1-2 yrs.	3-5 yrs.	6-10 yrs.	More than 10 years
Neigh.	5.6	11.7	22.5	18.0	41.8
1	5.6	11.1	16.7	25.0	40.3
2	3.0	6.1	24.2	19.7	47.0
3	7.7	14.6	29.2	13.7	34.3
4	3.6	10.2	15.0	20.4	50.9

Chart 1

Chart 2

AREA	1 person	2 persons	3 persons	4 persons	5 persons	6 persons	7 persons	8 persons	9 or more
Neigh.	6.8	21.5	26.0	25.4	14.5	4.0	0.9	0.2	0.8
1	4.2	22.2	19.4	37.5	9.7	5.6	.0	.0	1.4
2	9.1	18.2	27.3	19.7	19.7	6.1	.0	.0	.0
3	6.4	16.3	30.5	27.9	14.2	3.9	0.4	.0	0.4
4	7.5	30.0	21.9	18.8	15.0	2.5	2.5	0.6	1.2

Chart 3

PLEASE LIST THE NUMBER OF PEOPLE IN YOUR HOME IN THE FOLLOWING AGE GROUPS

AGE GROUPS	NEIGH. %	AREA 1 %	AREA 2 %	AREA 3 %	AREA 4 %
0-4	7.9	8.4	7.0	8.1	7.7
5-10	13.1	12.8	10.0	15.9	10.5
11-15	8.5	8.0	6.1	10.9	6.4
16-20	12.6	12.4	13.1	15.5	8.1
21-25	8.0	5.6	12.7	6.7	9.1
26-30	8.7	8.8	8.7	8.7	8.7
31-35	7.3	8.8	6.1	5.6	9.5
36-40	6.2	7.2	7.0	6.4	5.2
41-45	5.0	4.8	3.0	6.7	3.6
46-55	9.1	8.8	11.4	7.2	11.0
56-65	7.2	6.4	11.8	3.9	10.5
Over 65	5.7	7.6	2.6	3.6	9.1

Chart 4

ARE YOU PRESENTLY:

AREA	FULL-TIME	PART-TIME	RETIRED	HOUSEWIFE	UNEMPLOYED	STUDENT	OTHER
Neigh.	46.0	5.8	13.9	16.4	8.5	1.3	8.1
1	65.3	4.2	12.5	13.9	4.2	0	0
2	52.2	3.0	16.4	17.9	6.0	3.0	1.5
3	34.6	7.8	8.2	21.6	10.4	1.7	15.6
4	50.9	5.0	21.7	9.3	8.7	0.6	3.7

Chart 5

WHAT IS THE COMBINED, ANNUAL, GROSS, INCOME OF YOU AND YOUR PARTNER/SPOUSE?

AREA	UNDER \$3,000.	\$3,000. - \$7,999.	\$8,000. - \$14,999.	\$15,000. - \$21,999.	\$22,000. - \$28,999.	\$29,000. - \$34,999.	\$35,000. - or more
Neigh.	4.9	22.7	20.0	20.6	19.0	6.5	6.3
1	1.5	7.4	10.3	32.4	33.8	13.2	1.5
2	3.1	15.4	15.4	18.5	29.2	6.2	12.3
3	8.0	35.6	21.3	16.0	12.0	3.1	4.0
4	2.6	13.8	24.3	23.0	18.4	8.6	9.2

Chart 6

HOW MUCH WOULD YOU ESTIMATE HAS BEEN SPENT BY EITHER YOU OR YOUR LANDLORD ON YOUR ACCOMMODATION FOR MAINTENANCE AND/OR IMPROVEMENTS IN THE PAST FIVE YEARS?

AREA	\$0 - \$999.	\$1,000. - \$1,999.	\$2,000. - \$2,999.	\$3,000. - \$3,999.	\$4,000. - \$4,999.	\$5,000. or more
Neigh.	28.0	14.2	11.7	11.9	9.8	24.4
1	7.6	16.7	27.3	15.2	10.6	22.7
2	21.3	13.1	9.8	14.8	13.1	27.9
3	49.2	13.5	5.2	9.3	5.2	17.6
4	12.6	14.6	13.9	12.6	13.9	32.5

Chart 10

WOULD YOU BE INTERESTED IN APPLYING FOR A LOAN AND/OR NON-REPAYABLE GRANT TO UPGRADE THE CONDITION OF YOUR PROPERTY?

AREA	YES	NO
Neigh.	40.9	59.1
1	47.1	52.9
2	38.1	61.9
3	36.2	63.8
4	45.7	54.3

Chart 11

HAS ANYONE IN YOUR HOUSEHOLD USED ANY OF THE SERVICES PROVIDED BY ANY SOCIAL SERVICE AGENCY WITHIN THE LAST YEAR (I.E., PLANNED PARENTHOOD, MARRIAGE COUNSELLING, OR MEDICAL CLINIC, LEGAL AID)?

Area	Yes	No
Neigh.		
1	18.1	81.7
2	8.5	91.5
3	10.6	89.4
4	28.3	71.3
	11.1	88.9

Chart 12

DO YOU BELONG TO ANY COMMUNITY ORGANIZATION (I.E., CHURCH GROUP, Y.M.C.A., COMMUNITY COUNCIL)?

Area	Yes	No
Neigh.		
1	33.2	66.8
2	29.0	71.0
3	41.0	59.0
4	32.9	67.1
	32.5	67.5

Chart 13

WOULD YOU OR YOUR FAMILY USE ANY OF THE FOLLOWING SERVICES LISTED BELOW, IF THEY ARE PROVIDED IN YOUR NEIGHBOURHOOD?

Marriage Counselling			Family Counselling			Services for Elderly			Day Care			Homemaking Services			Recreational Facilities		
Area	Yes	No	Area	Yes	No	Area	Yes	No	Area	Yes	No	Area	Yes	No	Area	Yes	No
N.	14.5	85.3	N.	23.4	76.6	N.	28.9	71.1	N.	26.4	73.6	N.	26.0	74.0	N.	79.4	20.6
1	11.1	88.9	1	14.1	85.9	1	34.8	65.2	1	27.0	73.0	1	26.6	73.4	1	80.0	20.0
2	10.3	89.7	2	19.0	81.0	2	37.3	62.7	2	19.3	80.7	2	27.1	72.9	2	86.2	13.8
3	16.8	83.2	3	32.2	67.8	3	23.5	76.5	3	29.5	70.5	3	23.0	77.0	3	82.9	17.1
4	14.3	85.0	4	17.0	83.0	4	30.4	69.6	4	24.8	75.2	4	29.3	70.7	4	71.9	28.1
Drug Counselling			Job Counselling			Language Interpretation			Legal Aid			Welfare Counselling			Medical Health Clinic		
Area	Yes	No	Area	Yes	No	Area	Yes	No	Area	Yes	No	Area	Yes	No	Area	Yes	No
N.	19.9	80.1	N.	45.0	55.0	N.	14.2	85.8	N.	50.4	49.6	N.	22.4	77.6	N.	68.0	32.0
1	12.5	87.5	1	35.4	64.6	1	18.8	81.3	1	40.9	59.1	1	17.2	82.8	1	66.7	33.3
2	19.3	80.7	2	43.1	56.9	2	15.3	84.7	2	38.3	61.7	2	15.5	84.5	2	75.0	25.0
3	24.2	75.8	3	56.7	43.3	3	7.7	92.3	3	61.8	38.2	3	31.5	68.5	3	67.5	32.5
4	17.6	82.4	4	34.0	66.0	4	20.3	79.7	4	43.9	56.1	4	15.1	84.9	4	66.7	33.3
Mental Health Clinic			Credit Counselling			Consumer Assistance			Child Lunch Program			General Info. and Referral			Adult Education or Retraining		
Area	Yes	No	Area	Yes	No	Area	Yes	No	Area	Yes	No	Area	Yes	No	Area	Yes	No
N.	27.8	72.2	N.	27.2	72.8	N.	49.8	50.2	N.	29.9	70.1	N.	73.1	26.5	N.	53.7	45.9
1	24.2	75.8	1	25.0	75.0	1	52.3	47.7	1	26.6	73.4	1	68.8	31.3	1	42.4	57.6
2	26.3	73.7	2	25.9	74.1	2	52.5	47.5	2	28.1	71.9	2	70.7	29.3	2	60.3	39.7
3	33.8	66.2	3	32.0	68.0	3	51.5	48.5	3	35.1	64.9	3	78.0	21.0	3	61.5	37.5
4	21.8	78.2	4	22.1	77.9	4	45.3	54.7	4	25.0	75.0	4	68.9	31.1	4	45.6	54.4

Chart 14

AS A RESIDENT, HOW DO YOU FEEL ABOUT THE FOLLOWING CONDITIONS IN YOUR AREA?

Parking				Recreation Facilities				Air Pollution				Parkland	
Area	No Prob.	Min. Prob.	Maj. Prob.	Area	No Prob.	Min. Prob.	Maj. Prob.	Area	No Prob.	Min. Prob.	Maj. Prob.	Area	No Prob. Maj. Prob.
N.	66.5	19.7	13.5	N.	53.4	21.4	25.0	N.	27.9	37.4	34.7	N.	60.4 23.1 16.3
1	66.2	19.1	14.7	1	29.9	32.8	37.3	1	13.0	30.4	56.5	1	43.5 27.5 29.0
2	67.8	22.0	10.2	2	48.3	23.3	28.3	2	14.1	35.9	50.0	2	61.0 16.9 22.0
3	76.9	13.0	9.7	3	51.4	19.2	29.0	3	41.2	35.2	23.6	3	62.1 22.4 15.0
4	52.2	28.3	19.5	4	68.4	18.7	12.9	4	21.8	44.2	34.0	4	65.4 24.4 10.3
Snow Removal (Private Prop.)				Juvenile Delinquency				Traffic Flow				Commercial Truck Movement	
Area	No Prob.	Min. Prob.	Maj. Prob.	Area	No Prob.	Min. Prob.	Maj. Prob.	Area	No Prob.	Min. Prob.	Maj. Prob.	Area	No Prob. Maj. Prob.
N.	45.4	27.4	27.2	N.	27.1	45.0	27.9	N.	42.6	39.4	17.9	N.	64.6 20.8 14.7
1	55.1	26.1	18.8	1	43.3	34.3	22.4	1	47.1	32.4	20.6	1	51.5 23.5 25.0
2	50.8	20.3	28.8	2	20.0	48.3	31.7	2	25.8	50.0	24.2	2	38.3 26.7 35.0
3	45.6	30.2	24.2	3	17.5	47.0	35.5	3	42.7	40.0	17.3	3	77.7 14.7 7.6
4	38.9	26.8	34.4	4	36.4	45.5	18.2	4	47.1	37.6	15.3	4	62.5 25.7 11.8

CONTINUED....
AS A RESIDENT, HOW DO YOU FEEL ABOUT THE FOLLOWING CONDITIONS IN YOUR AREA?

Crime			Housing Conditions			Proximity to Industries			Streets		
Area	No Prob.	Min. Prob.	Maj. Prob.	Area	No Prob.	Min. Prob.	Maj. Prob.	Area	No Prob.	Min. Prob.	Maj. Prob.
N.	32.9	45.7	21.4	N.	53.3	36.2	10.3	N.	51.4	30.1	18.5
1	42.6	44.1	13.2	1	66.7	29.0	4.3	1	27.1	44.3	28.6
2	29.5	49.2	21.3	2	52.5	42.4	5.1	2	42.6	37.7	19.7
3	26.4	49.5	24.1	3	46.5	39.6	13.4	3	59.6	26.8	13.6
4	39.1	39.7	21.2	4	57.2	32.2	10.5	4	54.4	25.3	20.3
Police Protection			Noise Pollution			Sidewalks			Litter		
Area	No Prob.	Min. Prob.	Maj. Prob.	Area	No Prob.	Min. Prob.	Maj. Prob.	Area	No Prob.	Min. Prob.	Maj. Prob.
N.	66.3	21.8	11.9	N.	41.2	35.7	23.1	N.	36.4	37.8	25.7
1	69.1	19.1	11.8	1	30.9	35.3	33.8	1	45.6	39.7	14.7
2	68.3	20.0	11.7	2	27.4	38.7	33.9	2	35.0	31.7	33.3
3	62.0	23.0	15.0	3	50.2	30.0	19.8	3	32.3	39.5	28.2
4	70.3	21.9	7.7	4	38.7	42.6	18.7	4	38.9	36.9	24.2
									Dust & Dirt		
Area	No Prob.	Min. Prob.	Maj. Prob.	Area	No Prob.	Min. Prob.	Maj. Prob.	Area	No Prob.	Min. Prob.	Maj. Prob.
N.	66.3	21.8	11.9	N.	41.2	35.7	23.1	N.	31.4	37.2	31.2
1	69.1	19.1	11.8	1	30.9	35.3	33.8	1	21.7	29.0	49.3
2	68.3	20.0	11.7	2	27.4	38.7	33.9	2	19.0	36.5	44.4
3	62.0	23.0	15.0	3	50.2	30.0	19.8	3	38.5	38.5	22.9
4	70.3	21.9	7.7	4	38.7	42.6	18.7	4	30.8	39.1	29.5

Key
N - Neighbourhood

Chart 15
...continued from previous page

HOW DO YOU FEEL ABOUT THE FOLLOWING PARKS AND RECREATIONAL FACILITIES IN YOUR AREA?

AMOUNT OF PARK AND PLAYGROUND SPACE FOR CHILDREN					AMOUNT OF PARK SPACE FOR ADULTS					EASE OF REACHING THE PARK OR PLAYGROUND SPACE				
AREA	EXC. %	GOOD %	FAIR %	POOR %	AREA	EXC. %	GOOD %	FAIR %	POOR %	AREA	EXC. %	GOOD %	FAIR %	POOR %
Neigh.	14.5	29.9	32.0	23.6	Neigh.	8.0	21.8	26.4	43.8	Neigh.	23.4	35.3	22.8	18.6
1	2.9	10.0	40.0	47.1	1	1.5	8.8	33.8	55.9	1	5.7	17.1	31.4	45.7
2	10.9	34.4	37.5	17.2	2	6.3	28.6	28.6	36.5	2	22.2	30.2	23.8	23.8
3	14.7	29.8	31.2	24.3	3	5.7	22.2	23.1	49.1	3	26.5	41.7	18.5	13.3
4	20.6	36.9	27.5	15.0	4	14.6	24.2	26.8	34.4	4	27.4	36.9	24.2	11.5

THE NUMBER OF RECREATIONAL FACIL. AND PROGRAMS AVAILABLE

AREA	EXC. %	GOOD %	FAIR %	POOR %	AREA	EXC. %	GOOD %	FAIR %	POOR %
Neigh.	7.9	23.6	32.9	35.6	Neigh.	4.9	21.3	35.2	38.7
1	0	7.4	35.3	57.4	1	0	17.1	40.0	42.9
2	8.3	21.7	20.0	50.0	2	3.3	21.7	35.0	40.0
3	7.5	24.3	35.5	32.7	3	3.8	18.0	33.6	44.5
4	11.8	30.7	33.3	24.2	4	9.2	27.5	35.3	28.1

Chart 16

ARE YOU OF THE OPINION THAT THE CITY OF HAMILTON SHOULD ACQUIRE AND DEMOLISH RESIDENTIAL DWELLINGS FOR THE ESTABLISHMENT OF PARKS/OPEN SPACE.

TOTAL NEIGHBOURHOOD		
AREA	YES	NO
Neigh.	30.4	69.4
1	33.3	66.7
2	36.1	63.9
3	22.2	77.4
4	38.3	61.7

Chart 17

HOW DO YOU FEEL ABOUT THE NEED FOR THE FOLLOWING ITEMS IN YOUR NEIGHBOURHOOD?

Swimming				Tennis Courts				Activities for Elderly				Passive Park Area			
Area	Strong Need	Not Need		Area	Strong Need	Not Need		Area	Strong Need	Not Need		Area	Strong Need	Not Need	
N.	26.9	31.8	41.0	N.	16.1	45.5	38.4	N.	34.6	50.2	14.6	N.	39.4	47.8	12.4
1	33.8	44.1	22.1	1	16.4	47.8	35.8	1	29.4	52.9	17.6	1	36.2	49.3	14.5
2	34.4	39.3	26.2	2	24.1	43.1	32.8	2	36.1	49.2	14.8	2	35.5	56.5	8.1
3	29.2	29.7	41.0	3	15.6	49.3	35.1	3	37.6	46.9	13.6	3	40.7	47.2	11.1
4	17.4	26.2	55.7	4	13.6	40.1	46.3	4	32.0	52.7	14.7	4	40.5	44.4	15.0
Recreation Centre				Playgrounds for Young Child				Skating Rink Area				Improvements of Existing *P & R Facilities			
Area	Strong Need	Not Need		Area	Strong Need	Not Need		Area	Strong Need	Not Need		Area	Strong Need	Not Need	
N.	39.4	34.3	26.2	N.	44.9	33.8	21.1	N.	31.7	31.9	36.2	N.	42.9	42.9	14.1
1	47.8	37.7	14.5	1	50.7	39.1	10.1	N.	38.8	29.9	31.3	1	48.5	37.9	13.6
2	46.7	35.0	23.9	2	43.5	29.0	27.4	2	45.8	30.5	23.7	2	48.3	40.0	11.7
3	41.8	33.8	23.9	3	46.7	32.5	20.3	3	32.4	34.7	32.4	3	48.6	42.2	9.2
4	29.1	33.1	37.7	4	40.3	35.1	24.7	4	22.0	29.3	48.7	4	30.3	47.4	22.4

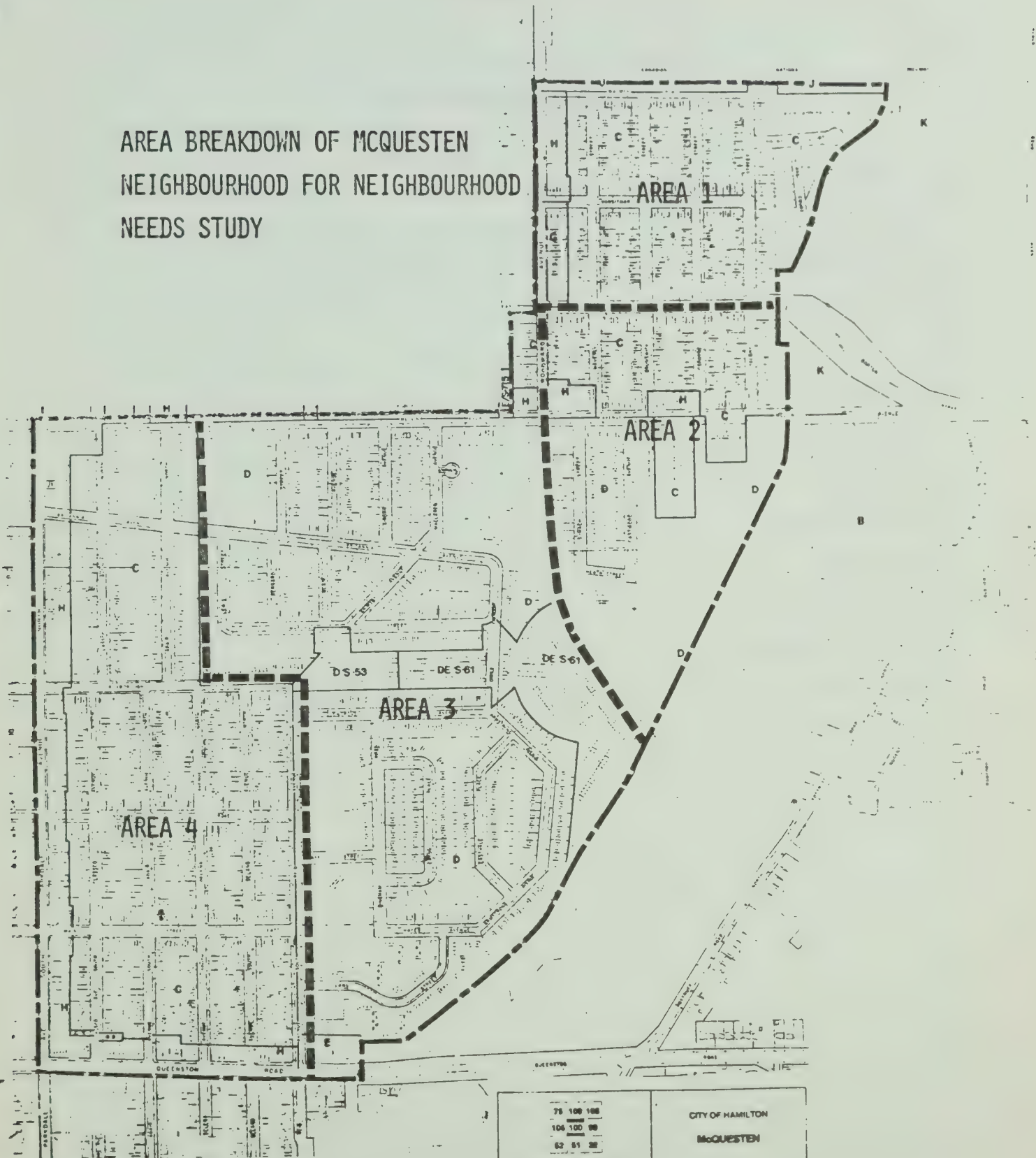
Key

* P&R - Parks and Recreation
1 N - Neighbourhood

Chart 18

APPENDIX 'E'

AREA BREAKDOWN OF MCQUESTEN NEIGHBOURHOOD FOR NEIGHBOURHOOD NEEDS STUDY



MCQUESTEN REDEVELOPMENT AREA (O.N.I.P.)

75 100 100 100 100 90 62 51 30	CITY OF HAMILTON McQUESTEN
This is not a Legal Document For Zoning Verification Purposes Contact City Building Department	
Neighbourhood Boundary Zoning Boundary	SCALE 1:1000
Prepared for The City of Hamilton by the Planning and Development Department at the Request of the City of Hamilton	APR 1990

S C H E D U L E "C"

Downtown B.I.A.

Nominees for Board of Management

Joe Ross	Ross's Ladies Wear
Wilf Gerofsky	Leeds
Jordan Livingston	Livingston Furs
Ron Waddington	Waddington Musical Enterprises
Barry Massey	Royal Connaught Hotel
Nat Davidson	Holiday Inn
Terry Everett	Guaranty Trust
Don Wessel	Terminal Towers - Lens & Shutter
Barb Attwood	Cambrian Business Products
Al Price	Bank of Nova Scotia
E. Irving	Continental Bank
Jim Prestedge	Connaught Camera
Jean Bozzo	McDonald's Restaurant
Paul Pappas	Grapes and Things
Martin Kampen	F.W. Woolworth
Michele Simmons	Wendy's Restaurant
Brian Gary	Brian's Hair Salon
Bill Christopher	Christopher's Restaurant

S C H E D U L E "D"

Downtown Business Improvement Area

1983 Budget Estimates

Administration \$ 38,500

Salaries & Benefits - Manager
Office & Telephone
Printing, Postage
Office Supplies
Meetings

Advertising & Promotion \$ 38,000

Media
Promotions

Streetscape Improvements 23,500

Christmas Lighting
Tree Lighting
Banners, etc.

TOTAL \$100,000

REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its **FOURTH** Report for 1983 and respectfully recommends:

1. That the following resolution be **endorsed**:-

(a) **City of Hamilton**

WHEREAS the Hamilton Hydro Electric System has advised that because of a pass-through increase of 8.2 percent for the purchase of power from Ontario Hydro, and to provide for increased operating costs, it will be necessary for them to increase their rates by approximately 9.79 percent overall during 1983; and

WHEREAS the Federal and Provincial Governments are passing legislation to enforce restraint; and

WHEREAS the City of Hamilton is limiting itself to an increase of not more than 6 percent in its expenditures and revenues, in accordance with Federal and Provincial Guidelines; and

WHEREAS Ontario Hydro is apparently not following the guidelines proposed by both the Federal and Provincial Governments;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the City of Hamilton petition the Federal and Provincial Governments not to allow Ontario Hydro to exceed the guidelines established by the Provincial Cabinet.

2. That **no action** be taken on the following resolutions:-

(a) **Borough of Scarborough**

That the Minister of Municipal Affairs and Housing be petitioned to take action to reverse the Standing Committee on General Government decision, so as to restore Section 40 of Bill 159, as originally introduced, and in an unaltered state.

Explanatory Note - The Committee concurs with the comments of the Building Commissioner, that the City of Hamilton presently controls signs under Zoning By-law 6593, and therefore, the proposal to delete Section 40 from Bill 159 should not have an adverse effect in the City of Hamilton.

(b) **County of Victoria**

WHEREAS the demand for tent and trailer parks and tent and trailer sites continues to escalate, and

WHEREAS many municipalities in recreational areas are concerned about the disjointed legislation and inequitable revenues generated to the local municipality by such tent and trailer parks;

NOW THEREFORE BE IT RESOLVED THAT the Provincial Government be petitioned to:

- (i) Consolidate and rationalize existing legislation relating to Tent and Trailer Parks to provide for comprehensive control.
- (ii) Provide a mechanism for municipalities to collect revenue that more equitably reflects the revenue generated by such camps as compared to other related commercial land uses.

3. **That the City Solicitor be authorized** to prepare a by-law pursuant to the City of Hamilton Act, 1982, requiring the Board of Directors of the Hamilton Performing Arts Corporation Inc., and the Board of Directors of the Hamilton Place Convention Centre Inc. to hold In Camera meetings in respect of the following matters:-

- (a) personnel matters, including matters relating to wages, salaries, benefits;
- (b) discipline, unless the individual affected requests that the meeting be open to the public;
- (c) collective bargaining;
- (d) litigation or communication respecting solicitor-client relationships including legal opinions and advice;
- (e) proposed or actual contracts with producers or promoters of exhibitions, shows or attractions.

4. **Approval of the action of the Legislation Committee** in authorizing the Ukrainian Canadian Committee to use the City Hall Council Chambers on January 22, 1983 to commemorate Ukrainian Independence Day.

5. **Approval** of the awarding of the following Contract:

COMPUTER ELECTIONS SYSTEMS, California, U.S.A.

Purchase of Ballots and Election Supplies

For the supply and delivery of the following election supplies:

2,000 pads of 50 White Ballots	
2,500 pads of 25 Green Ballots	
4,000 page fasteners	
1,500 Yellow plastic masks	
250 stylus	\$14,151,86
	U.S. Funds
	All charges included

Note: Only supplier.

6. That leave be granted to introduce the following Bills:-

- (a) Bill E-5 - By-law to Amend By-law 82-203 respecting Access to the Meetings of the Boards of Directors and Meetings of the Hamilton Performing Arts Corporation Inc. and the Hamilton Place Convention Centre
- (b) Bill E-6 - By-law to confirm proceedings of the Corporation of the City of Hamilton.

Respectfully submitted,

JDT:bg
January 18, 1983

Alderman V. J. Agro
Chairman

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 83-

To Authorize:

JAN 21 1983

1. The construction of local improvements on the east side of Upper Gage Avenue from Anna Capri Drive to approximately 92 metres northerly;
2. The special assessment to pay a portion of the cost, upon petition made under Section 11 of The Local Improvement Act;
3. The preparation of plans, specifications and reports and the supervision of the construction by the Regional Commissioner of Engineering.

WHEREAS a petition has been received to construct as local improvements the works hereinafter described;

AND WHEREAS the City Clerk has certified as to the sufficiency of the said petition;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 4 of the 17th Report of the Finance Committee and Item 40 of the 15th Report of the Transport and Environment Committee, both on September 27, 1982;

AND WHEREAS the Council has procured to be made reports, estimates and statements for the undertaking of the said works;

AND WHEREAS the Ontario Municipal Board did on the 2nd day of December, 1982 issue Order No. E 821381, approving the application of The Corporation of the City of Hamilton for:

- (a) the construction of an independent concrete sidewalk on east side of Upper Gage Avenue from Anna Capri Drive to approximately 92 metres northerly, and
- (b) the issue by The Regional Municipality of Hamilton-Wentworth of debentures in the sum of \$9,000.00 for the purpose.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$9,000.00.
2. The share or portion of the estimated cost of the works in the amount of \$3,660.00 to be borne by the lands abutting directly on the works and the estimated cost per metre to be rated shall be as set out in Schedule "A", provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.
3. Pending payment of the share or portion of the total cost referred to in section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth:
 - (a) to the extent sufficient to provide an amount not exceeding \$9,000.00, and
 - (b) repayable over a term not exceeding fifteen (15) years, chargeable to The Corporation of the City of Hamilton.

4. The Regional Commissioner of Engineering is hereby authorized to:

- (a) prepare all necessary plans, specifications and reports required for the construction of the works, and
- (b) supervise construction of the works.

5. The Mayor and City Clerk are hereby authorized to execute on behalf of The Corporation of the City of Hamilton all contracts necessary for the construction of the works.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1982) 17 R.F.C. 4, September 27

(1982) 15 R.T.E.C. 40, September 27

SCHEDULE "A"

The construction of an INDEPENDENT CONCRETE SIDEWALK on the east side of Upper Gage Avenue, from Anna Capri Drive to approximately 92 metres northerly, at the costs and charges not exceeding those set out below:

City's Share	\$5,340.00
Owners' Share	<u>3,660.00</u>
Total Estimated Cost	<u>\$9,000.00</u>

Estimated Cost per metre frontage: \$40.00

Fifteen (15) annual instalments

By-law No. 83 -

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:-

Traffic

1. Schedule 10 (Stops at Intersections) of By-law 66-100 To Regulate Traffic passed on the 29th day of March 1966, is hereby amended by adding thereto the following items, namely:-

"Martha	eastbound	Oriole
Annabelle	northbound and southbound	Chester
Chester	eastbound and westbound	Chesley
Kennedy	eastbound and westbound	Christie
Alderson	eastbound and westbound	Christie
Christopher	eastbound and westbound	Christie".

2. Schedule 11 (Yield Right-of-Way Signs) is hereby amended by deleting therefrom the following items, namely:-

"Alderson	eastbound and westbound	Christie
Annabelle	northbound and southbound	Chester
Chester	eastbound and westbound	Chesley
Christopher	eastbound and westbound	Christie
Kennedy	eastbound and westbound	Christie".

3. Schedule 15 (Designated Traffic Lanes) is hereby amended by adding thereto the following items, namely:-

"Greenhill	100 feet south of King and King	1st lane from east curb	anytime	northerly to easterly
Greenhill	100 feet south of King and King	2nd lane from east curb	anytime	northerly, northerly to easterly and northerly to westerly
Greenhill	100 feet south of King and King	3rd lane from east curb	anytime	northerly to westerly".

4. Schedule 29 (No Stopping Areas) is hereby amended by adding to Section A (No Stopping Anytime) the following items, namely:-

"Barlake	north	commencing 369 feet west of the easterly leg of Barlake to a point 45 feet westerly therefrom
Province	west	King to Justine
Springer	west	Maplewood to a point 55 feet northerly".

PASSED this day of , A.D. 1983.

City Clerk

Mayor

(1983) 2 R.T.E.C., January 25

By-law No. 83 -

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 25 (Parking Time Limits) of By-law 66-100 To Regulate Traffic passed on the 29th day of March 1966, is hereby amended by deleting from Section 5 (One Hour Limit) the following item, namely:-

"Hillyard	West	Land to northerly end".
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2. Schedule 25B (Parking Time Limits) is hereby amended by deleting from Section 1 (Three Hour Limit) the following item, namely:-

"Clifton Downs	West	Purnell to Bonaventure".
----------------	------	--------------------------

3. Schedule 26 (No Parking Areas) is hereby amended:

a) by deleting from Section A (No Parking Anytime) the following items, namely:-

"Dunsmure	South	Gage to Ottawa
Dunsmure	North	Crosthwaite to London
Dunsmure	North	Kenilworth to Tuxedo
Dunsmure	North	Tuxedo to London
Clifton Downs	East	Purnell to Bonaventure
Margaret	West	King to a point 70 feet southerly".

and by adding thereto the following items, namely:-

"Lucerne	South	Parkdale to a point 107 feet easterly
Monterey	South	Graham to a point 103 feet westerly
Graham	West	Monterey to a point 43 feet southerly
Dunsmure	South	Gage to King
Clifton Downs	West	Purnell to Bonaventure
Dunsmure	North	Edgemont to a point 61 feet west
Smith	East	Cannon to Barton".

b) by adding to Section B (Loading Zones) the following item, namely:-

"Margaret	West	King to a point 154 feet southerly".
-----------	------	--------------------------------------

4. Schedule 27 (Alternate Side Parking) is hereby amended by deleting therefrom the following item, namely:-

"Province Street	West	East
Lawrence Road to Main Street		
Smith Avenue	West	East
Cannon Street to Barton Street".		

and by adding thereto the following items, namely:-

"Traymore	North	South
Forsythe to Dalewood		
Dunsmure	North	South
King to Ottawa		
Province	West	East
Lawrence to Justine		
Province	West	East
King to Main".		

5. Schedule 31 (School Bus Loading Zones) is hereby amended by adding thereto the following items, namely:-

"Alderson	South	241 feet	commencing at a point 340 feet west of Upper James	7:00 a.m. - 6:00 p.m., Monday to Saturday
Bendamere	North	205 feet	commencing at a point 37 feet east of W. 27th	7:00 a.m. - 6:00 p.m. Monday to Saturday
Bendamere	North	102 feet	commencing at a point 36 feet east of W. 26th	7:00 a.m. - 6:00 p.m. Monday to Saturday
Rolston	West	40 feet	commencing at a point 879 feet south of Miami	7:00 a.m. - 6:00 p.m. Monday to Saturday
Secord	South	40 feet	commencing at a point 210 feet east of Rainbow	7:00 a.m. - 6:00 p.m. Monday to Saturday
Bobolink	South	35 feet	commencing at a point 41 feet east of Meadowlark	7:00 a.m. - 6:00 p.m. Monday to Saturday
Karen	South	100 feet	commencing at a point 69 feet east of San Antonio	7:00 a.m. - 6:00 p.m. Monday to Saturday
Karen	South	170 feet	commencing at a point 289 feet east of San Antonio	7:00 a.m. - 6:00 p.m. Monday to Saturday
Springside	West	48 feet	commencing at a point 667 feet south of Lister	7:00 a.m. - 6:00 p.m. Monday to Saturday
Springside	West	50 feet	commencing at a point 840 feet south of Lister	7:00 a.m. - 6:00 p.m. Monday to Saturday
Owen Place	North	117 feet	commencing at a point 75 feet west of Greenford	7:00 a.m. - 6:00 p.m. Monday to Saturday
Berko	South	70 feet	commencing at a point 82 feet east of Baroche	7:00 a.m. - 6:00 p.m. Monday to Saturday
Berko	South	120 feet	commencing at a point 25 feet west of Baroche	7:00 a.m. - 6:00 p.m. Monday to Saturday
Thorner	South	120 feet	commencing at a point 84 feet west of Deerborn	7:00 a.m. - 6:00 p.m. Monday to Saturday
Deerborn	West	105 feet	commencing at a point 25 feet north of Jasmine	7:00 a.m. - 6:00 p.m. Monday to Saturday
Eastwood	East	35 feet	commencing at a point 202 feet south of Melvin	7:00 a.m. - 6:00 p.m. Monday to Saturday
Eastwood	East	35 feet	commencing at a point 408 feet south of Melvin	7:00 a.m. - 6:00 p.m. Monday to Saturday".

PASSED this

day of

, A.D. 1983.

City Clerk

Mayor

(1983) 2 R.T.E.C., January 25

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Cemeteries By-law No. 8861

Respecting:

REVISED TARIFF OF CHARGES

WHEREAS By-law No. 8861, passed on the 12th day of January, 1960, in accordance with The Cemeteries Act, established a tariff of charges;

AND WHEREAS it is desirable to revise the tariff of charges.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 8861, as amended by By-laws Nos. 74-303, 76-187, 76-337, 77-292, 78-276, 79-17, 79-319, 80-229 and 81-219, is further amended by deleting schedule "A-1981" and substituting in lieu thereof schedule "A-1983" hereto annexed.

2. The Director of Cemeteries is hereby authorized and directed to make application to the Minister of Consumer and Commercial Relations, Cemeteries Branch, for approval of this By-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1982) 1 R.P.R.C. 2, December 14

SCHEDULE "A-1983"

Tariff of Charges

(Section 8)

Resident and
Non-Resident
Realty
Taxpayers

Non-Residents

OPENING

6 ft. adult, including dressing and device

<u>Dressing</u>	<u>Device</u>	<u>Labour</u>		
\$23.00	\$20.00	\$186.00	229.00	268.00

8 ft. adult, including dressing and device.....	312.00	347.00
-------------------------------------------------	--------	--------

6 ft. child, including dressing and device; case up to 60".....	157.00	224.00
Including dressing only.....	137.00	204.00
Without dressing and device.....	114.00	181.00

6 ft. child, including dressing and device; case 61" to 72".....	174.00	253.00
Including dressing only.....	154.00	233.00
Without dressing and device.....	131.00	210.00

8 ft. child, including dressing and device; case up to 60".....	174.00	253.00
Including dressing only.....	154.00	233.00
Without dressing and device.....	131.00	210.00

8 ft. child, including dressing and device; case 61" to 72".....	194.00	282.00
Including dressing only.....	174.00	262.00
Without dressing and device.....	151.00	239.00

NOTE: Lowering device is not used if case is less than or equal to 42".

Cremation.....	76.00	109.00
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Tent.....	98.00	151.00
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Single Graves in a Row

6 ft. adult, including dressing and device (Grave 222.00, Burial 229.00).....	451.00	
(Grave 273.00, Burial 269.00).....		542.00

8 ft. adult, including dressing and device (Grave 222.00, Burial 312.00).....	534.00	
(Grave 273.00, Burial 347.00).....		620.00

Child, case up to 60" (opening charges not included)	53.00	68.00
Child, case 61" to 72" (opening charges not included)	78.00	103.00

Child Special - up to one month old (Grave 22.00; Burial 26.00).....	48.00	
(Grave 24.00; Burial 42.00).....		66.00

Welfare (Grave 160.00; Burial 229.00).....	389.00	
-----------------------------------------------	--------	--

Veteran's Grave (Grave 210.00; Burial 229.00).....	439.00	
-------------------------------------------------------	--------	--

Opening Charges (New Crypts Only) Mansion of Memories (Stoney Creek Mausoleum)	189.00	223.00
-----------------------------------------------------------------------------------	--------	--------

Note: Thirty-five per cent of all lot sales goes into Perpetual Care.

	Resident and Non-Resident Realty Taxpayers	Non-Residents
<u>LOWERING (Opening charges not included)</u>		
Adult		
From 6 ft. to 8 ft. - shell.....	158.00	239.00
From 6 ft. to 8 ft. - steel vault.....	306.00	460.00
From 6 ft. to 8 ft. - concrete vault or crypt.....	367.00	550.00
Child		
From 6 ft. to 8 ft. - 5 to 10 years.....	109.00	162.00
From 6 ft. to 8 ft. - under 5 years.....	52.00	77.00
<u>REMOVALS</u>		
Adult		
From one lot to another (opening charges not included)		
Shell.....	546.00	819.00
Concrete vault or crypt.....	676.00	1,012.00
Child		
From one lot to another (opening charges not included)		
Shell.....	197.00	306.00
Concrete vault or crypt.....	211.00	312.00
Cremation.....	76.00	109.00
<u>ADDITIONAL SERVICES</u>		
Tent in Cemetery.....	98.00	151.00
Rental tent outside cemetery.....	103.00	151.00
Rental of dressing for use outside cemetery	82.00	127.00
Rental of lowering device outside cemetery.	82.00	127.00
<u>PLANTING</u>		
Preparing ground and planting flowers per grave.....	22.00	
Preparing ground and planting one shrub per grave.....	29.00	
Note: Flowers and shrubs are to be provided by the family at their expense.		
<u>SALE OF LOTS AND GRAVES INCLUDING PERPETUAL CARE</u>		
Adult Single Grave		
Where location may not be selected, but is allotted in sequence in the row and may not be purchased in advance of need.....	222.00	273.00
Child Single Grave		
Case up to 60".....	53.00	68.00
Case 61" to 72".....	78.00	103.00
Preferred Single Grave		
Where location may be selected and purchased in advance of need.....	370.00	458.00
Urn Garden.....	124.00	151.00
Veteran's Grave.....	210.00	
Welfare Grave.....	160.00	
Two Grave Lot.....	848.00	1,058.00
Two Grave Lot - Eastlawn, Sections 15, 16 & 17 - Trinity (6 ft. burials only).....	693.00	864.00

Resident and Non-Resident Realty Taxpayers	Non-Residents
-----------------------------------------------------	---------------

SALE OF LOTS AND GRAVES INCLUDING PERPETUAL CARE
Continued...

Three Grave Lot - Woodland.....	1,267.00	1,585.00
Four Grave Lot - Woodland Sections 21, 22 & 25 and Eastlawn Section 19.....	1,660.00	2,110.00
Four Grave Lot - Trinity.....	1,560.00	1,980.00
Four Grave Lot - Woodland Section 15.....	3,068.00	3,832.00
Mansion of Memories - Mausoleum Crypt.....	590.00	650.00
Child Special.....	22.00	24.00
<u>WOODEN SHELLS</u> - Surcharge.....	42.00	
<u>CRYPTS</u> - Oversize.....		
Intermediate.....		
Standard.....		
Youth.....		

NOTE: Thirty-five per cent of all lot sales goes into Perpetual Care.
Total surcharge on wooden shells goes into Perpetual Care.

FOUNDATION AND MARKER - REGULATIONS

Preferred Singles

Only a flat marker 24" in length, 18" in width and 4" in thickness is permitted.

Single Graves in a Row

A flat marker 24" in length, 18" in width and 4" in thickness is permitted, or smaller.

Urn Garden Section

Only a flat marker 12" in length, and 10" in width is permitted.

Children's Section

Only a flat marker 18" in length and 14" in width is permitted.

Two Grave Lot Section

Upright monument is allowed, maximum length of base must not exceed 3'2".
Maximum width must not exceed 1'2". All bases must be at least 6" in height.
The total over-all height of any memorial must not exceed 4'. All memorial
bases must have a projection of at least 3" from the edge of the die or cross
on all sides.

Three and Four Grave Lot Section

Maximum base area not to exceed 10% of lot area. Total over-all height to
be governed by base size for appearance and balance. All memorial bases must
have a projection of at least 3" from the edge of the die or cross on all sides.

NOTE: These regulations have been included as they often determine the choice of lot
or grave.

Transfer fee	\$ 2.00
Research	<u>14.00</u>
Total	\$16.00

Resident and Non-Resident Realty Taxpayers	Non-Residents
-----------------------------------------------------	---------------

FOUNDATIONS AND MARKERS

For construction of foundation six feet deep for upright monument - per square inch of surface	.52	.78
---------------------------------------------------------------------------------------------------	-----	-----

For setting a flat marker (not larger than 18" wide, 24" long). - Thickness 4" minimum and 8" maximum.....	64.00	98.00
------------------------------------------------------------------------------------------------------------------	-------	-------

D.V.A. Upright.....	54.00	
---------------------	-------	--

D.V.A. Flat.....	54.00	
------------------	-------	--

Bronze Vase.....	64.00	98.00
------------------	-------	-------

Welfare Marker - \$64.00 Plus \$21.00 into Perpetual Care.....	85.00	
-------------------------------------------------------------------	-------	--

Veteran's Upright Crosses.....	No charge	
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Preferred Singles

Only a flat marker 24" in length, 18" in width and 4" in thickness is permitted.

Single Graves in a Row

A flat granite marker 24" in length, 18" in width and 4" in thickness is permitted, or smaller.

Urn Garden Section

Only a flat marker 12" in length, and 10" in width is permitted.

Children's Section

Only a flat marker 18" in length, and 14" in width is permitted.

Two Grave Lot Section

Upright monument is allowed, maximum length of base must not exceed 3'2".
Maximum width must not exceed 1'2". All bases must be at least 6" in
height. The total over-all height of any memorial must not exceed 4'.
All memorial bases must have a projection of at least 3" from the edge of
the die or cross on all sides.

Three and Four Grave Lot Section

Maximum base area not to exceed 10% of lot area. Total over-all height to be
governed by base size for appearance and balance. All memorial bases must
have a projection of at least 3" from the edge of the die or cross on all sides.

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Authorize:

DEMOLITION AND CLEARING OF
THE GARAGE BUILDING AND REMOVAL OF THE DEMOLITION DEBRIS

297 CHARLTON AVENUE WEST

WHEREAS a Notice dated the 17th day of December, 1981 was served or caused to be served in accordance with Subsection 6 of Section 43 of The Planning Act, R.S.O. 1980, Chapter 379 formerly Section 36 of The Planning Act, R.S.O. 1970, Chapter 349;

AND WHEREAS an Order dated the 4th day of February, 1982 was served or caused to be served in accordance with Subsection 7 of Section 43 of the said Act formerly Section 36 of the said Act;

AND WHEREAS an appeal has been made from the said Order in accordance with Subsection 17 of Section 43 of the said Act formerly Section 36 of the said Act;

AND WHEREAS a hearing was held on the 25th day of May, 1982 by the Property Standards Committee in accordance with Subsection 11 of Section 43 of the said Act formerly Section 36 of the said Act;

AND WHEREAS the Property Standards Committee confirmed the Order in accordance with Subsection 18 of Section 43 of the said Act formerly Section 36 of the said Act;

AND WHEREAS no appeal has been lodged with a Judge of the Judicial District pursuant to Subsection 19 of Section 43 of the said Act formerly Section 36 of the said Act;

AND WHEREAS the Order is now deemed to be final and binding pursuant to Subsection 20 of Section 43 of the said Act formerly Section 36 of the said Act;

AND WHEREAS the buildings and structures situate on the land more particularly described in Schedule "A" have not been repaired or demolished and the site cleared as required by the said Order;

AND WHEREAS the said buildings and structures are not in conformity with the standards prescribed in The Property Standards By-Law No. 74-74 and are in a ruinous and deteriorated condition;

AND WHEREAS in accordance with Section 21 of the said Act the Corporation has the right to demolish or repair the property in the event that the Order has not been complied with;

AND WHEREAS it is desirable to demolish the garage building and clear the site of the demolition debris to secure the health, welfare and safety of the inhabitants of the area;

AND WHEREAS pursuant to Clause (c) of Section 36 of The Property Standards By-Law No. 74-74, as amended, the final amount expended by the City to demolish the buildings, together with interest, is a lien against the property in respect of which the amount was expended and the certificate of the City Clerk as to such amount is final and such amount is deemed to be taxes and may be added to the collector's roll to be collected in the same manner as municipal taxes.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Building Commissioner is hereby authorized and directed to provide for the demolition and clearing the garage building and removal of the demolition debris on the land more particularly described in Schedule "A", and to leave the land in a graded and levelled condition.

2. It is hereby authorized and directed that the amount expended for the work done shall be added to the collector's roll and shall be collected in the same manner as municipal taxes.

PASSED this day of A.D. 1983.

CITY CLERK

MAYOR

(1983) 2 R.P.D.C. 20, January 11

SCHEUDLE "A"

To By-law No. 83-

Municipal Address: 297 Charlton Avenue West, Hamilton

All and Singular that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth and being composed of Lot Number Seventy (70) on the south side of Charlton Avenue between Locke and Kent Streets in the subdivision of Lot Number One in James Mills Survey made for the Nelson Mills Estate and according to the amended plan registered in the Registry Office for the Registry Division of Wentworth on the 20th day of September, 1882, excepting thereout the westerly thirty feet (30') of said Lot.

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Authorize:

DEMOLITION AND CLEARING OF
BUILDINGS, STRUCTURES, DEBRIS OR REFUSE AT

MUNICIPAL NO. 190 CAVELL AVENUE

WHEREAS a Notice dated the 7th day of July, 1982 was served or caused to be served in accordance with subsection 6 of section 43 of The Planning Act, R.S.O. 1980, Chapter 379;

AND WHEREAS an Order dated the 13th day of August, 1982 was served or caused to be served in accordance with subsection 7 of section 43 of the said Act;

AND WHEREAS no appeal has been made from the said Order in accordance with subsection 17 of section 43 of the said Act;

AND WHEREAS the buildings and structures situate on the land more particularly described in schedule "A" have not been repaired or demolished and the site cleared as required by the said Order;

AND WHEREAS the said buildings and structures are not in conformity with the standards prescribed in The Property Standards By-law No. 74-74 and are in a ruinous and deteriorated condition;

AND WHEREAS in accordance with subsection 21 of section 43 of the said Act the corporation has the right to demolish or repair the property in the event that the Order has not been complied with;

AND WHEREAS it is desirable to demolish the buildings and structures and to clear the site in order to secure the health, welfare and safety of the inhabitants of the area;

AND WHEREAS, pursuant to clause (c) of section 36 of The Property Standards By-law No. 74-74, as amended, the final amount expended by the City to demolish the buildings, together with interest, is a lien against the property in respect of which the amount was expended and the certificate of the City Clerk as to such amount is final and such amount is deemed to be taxes and may be added to the collector's roll to be collected in the same manner as municipal taxes.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Building Commissioner is hereby authorized and directed to provide for the demolition and clearing of all buildings, structures, debris or refuse on the land more particularly described in schedule "A", and to leave the land in a graded and levelled condition.

2. It is hereby authorized and directed that the amount expended for the work done shall be added to the collector's roll and shall be collected in the same manner as municipal taxes.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 2 R.P.D.C. 21, January 11

SCHEDULE "A"

To By-law No. 83-

Municipal Address: 190 Cavell Avenue, Hamilton

THOSE lands and premises located in the following municipality, namely, in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and Province of Ontario, (formerly in the County of Wentworth) and being composed of parts of Lots numbers Fifty-six and Fifty-five fronting on Cavell (formerly Berlin) Avenue in the Beloit Survey in the City of Hamilton aforesaid and which may be more particularly described as follows:

COMMENCING at a point in the easterly limit of Cavell Avenue distant northerly twenty-one feet six inches from the southwest angle of said Lot Number Fifty-six;

THENCE easterly and parallel with the southerly limits of Lots Numbers Fifty-six and Fifty-five eighty feet to the easterly limit of said Lot Number Fifty-five;

THENCE northerly along the said easterly limit of said Lot Number Fifty-five, twenty feet to a point;

THENCE westerly and parallel with the southerly limit of Lots Numbers Fifty-five and Fifty-six, eighty feet to the easterly limit of Cavell Avenue;

THENCE southerly along the said easterly limit of Cavell Avenue twenty feet to the place of beginning;

Upon which land is erected the dwelling house known as Number 190 Cavell Avenue;

AND SUBJECT as to the said parcel to the right of the house built immediately to the north thereof to overhang its eaves as at present over such lands to the extent of eighteen inches; and together with the right to the said Grantees, their heirs and assigns, to have the eaves (limited to eighteen inches) in width of the house now erected or any other house hereafter to be erected upon the lands hereby conveyed, project over and overhang forever the parcel of land immediately adjoining to the south, the lands hereby conveyed.

The Corporation of the City of Hamilton

BY-LAW NO. 83-

TO CHANGE THE NAME OF GAFNEY DRIVE TO GARDINER DRIVE

WHEREAS section 210, paragraph 105 of The Municipal Act, R.S.O. 1980, Chapter 302 provides that the council of a municipality may pass by-laws for changing names of highways;

AND WHEREAS notice of this by-law was published in The Spectator once a week for four successive weeks prior to the passing of this by-law, as required by the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The name of the street municipally known as Gafney Drive is hereby changed to Gardiner Drive.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 2 R.P.D.C. 13, January 11
City Initiative

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Repeal:

By-laws No. 82-100 and 82-182

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 148 and 199 McANULTY BOULEVARD

WHEREAS By-law No. 82-100, passed on the 27th day of April, 1982, authorized the demolition and clearing of buildings, structures, debris or refuse on land at No. 199 McAnulty Boulevard;

AND WHEREAS By-law No. 82-182, passed on the 31st day of August, 1982, authorized the demolition and clearing of buildings, structures, debris or refuse on land at No. 148 McAnulty Boulevard;

AND WHEREAS demolition of the buildings and structures has been completed and the land cleared;

AND WHEREAS the authority in the said by-laws is no longer necessary.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-laws No. 82-100 and 82-182 are repealed.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 2 R.P.D.C. 18,19, January 11

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

THE "H" (COMMUNITY SHOPPING AND COMMERCIAL, etc.) DISTRICT

WHEREAS General Zoning By-law No. 6593 was passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS it is intended to allow for the conversion of existing buildings in the "H" (Community Shopping and Commercial, etc.) district to residential dwelling units in order to provide for the use of non-viable commercial floor space;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 14 of By-law No. 6593 is amended by adding thereto the following subsection:

Conversion Requirements

14(1a) Notwithstanding anything contained in By-law No. 6593, any building or portion thereof located in an "H" district existing as of the date of the passing of this by-law, may be converted to provide a residential dwelling unit or dwelling units, provided that all dwelling units shall have an average minimum floor area of 65.0 square metres.

2. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

3. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 2 R.P.D.C. 31, January 11
CI-83-A

Bill No. D-24

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Adopt:

THE McQUESTEN NEIGHBOURHOOD REDEVELOPMENT PLAN

WHEREAS By-law No. 83-25, passed on the 14th day of December, 1982, with the approval of the Minister having been granted on November 5, 1982, designated the McQuesten East and West Neighbourhoods as a redevelopment area in accordance with subsection 2 of section 22 of The Planning Act, R.S.O. 1980, Chapter 379;

AND WHEREAS subsection 5 of section 22 of The Planning Act provides as follows:

(5) When a by-law has been passed and approved under subsection (2), the council, with the approval of the Minister, may by by-law adopt a redevelopment plan for the redevelopment area;

AND WHEREAS Item 20 of the 3rd Report of the Planning and Development Committee, adopted by Council on the 25th day of January, 1983, approved a redevelopment plan dated January, 1983 for the McQuesten Neighbourhood.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The McQuesten Neighbourhood Redevelopment Plan, dated January, 1983, hereto annexed as schedule "A" and forming part of this by-law, is adopted as the redevelopment plan for the McQuesten Neighbourhood Redevelopment Area, designated by By-law No. 83-25.

READ A FIRST AND SECOND TIME on the day of 1983.

READ A THIRD TIME AND FINALLY PASSED on the day of
1983, the Minister's approval having been granted on the
day of , 1983.

City Clerk

(1983) 3 R.P.D.C. 20, January 25

Mayor

PLEASE NOTE: Schedule "A" referred to, included in Schedule "B" to Section 20 of the THIRD REPORT of the Planning and Development Committee.

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

As Amended by By-law No. 75-34 and
As Amended by By-law No. 77-8

Respecting:

LAND LOCATED AT MUNICIPAL NO. 28 BURRIS STREET

WHEREAS By-law No. 75-34, passed on the 28th day of January, 1975, as amended by By-law No. 77-8, passed on the 25th day of January, 1977, and approved by the Ontario Municipal Board on February 23, 1977, (File No. R 75735), provided that 28 and 32 Burris Street and 26 Avalon Place may be used as a nursing home for a maximum of 21 patients;

AND WHEREAS it is intended to delete section 2(a), paragraph 2 of By-law No. 75-34, as re-enacted by By-law No. 77-8 as the provision relates to 28 and 32 Burris Street and 26 Avalon Place and to establish provisions relating only to 28 Burris Street;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Paragraph 2 of clause (a) of section 2 of By-law No. 75-34, as re-enacted by section 1 of By-law No. 77-8, is repealed.
2. Section 2 of By-law No. 75-34 is amended by,
 - (a) striking out "variance as a special requirement" in the third and fourth lines and inserting inlieu thereof "variances as special requirements that";
 - (b) adding the following clauses thereto:
 - (b) notwithstanding section 9(1)(iib) and section 10(1)(i) of By-law No. 6593, a residential care facility shall be permitted at No. 28 Burris Street for the accommodation of not more than 21 residents of at least 60 years of age who cannot be cared for or live at home without supervision of assistance;
 - (c) notwithstanding section 10(4)(i) of By-law No. 6593, the lot referred to in clause (b) shall have a width of at least 11.86 metres and an area of at least 279.16 square metres.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-497a".

4. Sheet No. E-22 of the District Maps is amended by marking the lands at No. 28 Burris Street, "S-497a".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 3 R.P.D.C. 3, January 25
Mrs. Zlatica Krmpotic, Owner
ZA-82-58

This is Schedule "A" to By-law No. 63- passed the day of

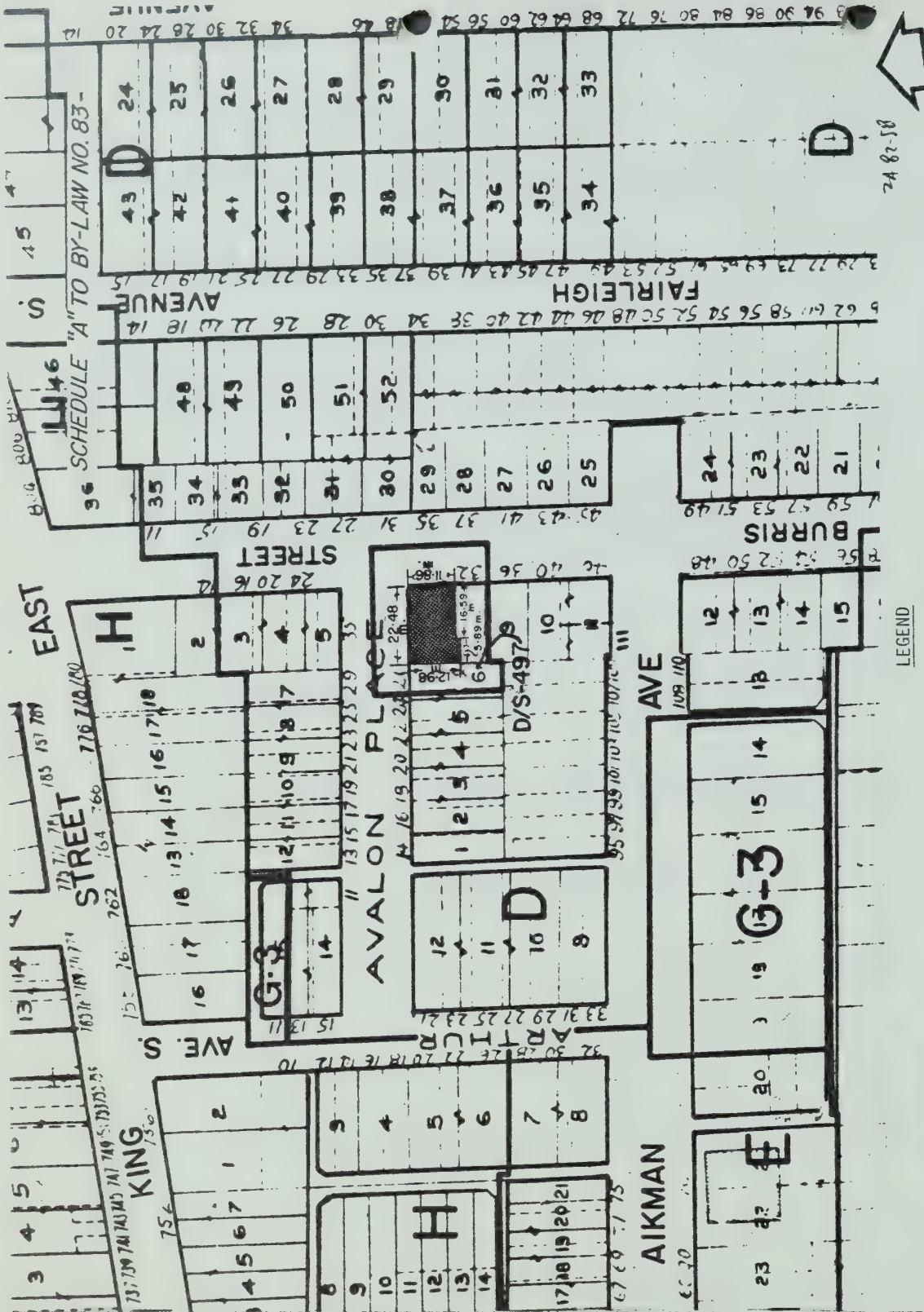
THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

J-24

Bill No. D-25



Lands on part of sheet No. E-22 of the Zoning District maps to be regulated by By-Law No. 83-

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

By-law No. 82-203

Respecting:

ACCESS TO THE MEETINGS OF THE BOARDS OF DIRECTORS
AND MEETINGS OF THE HAMILTON PERFORMING ARTS CORPORATION, INC.
AND THE HAMILTON PLACE CONVENTION CENTRE, INC.

WHEREAS By-law No. 82-203, passed on the 28th day of September, 1982, provides for the regulation of council proceedings and committees thereof and for access to information;

AND WHEREAS The City of Hamilton Act, 1982 provides that the meetings of the boards of directors and meetings of The Hamilton Performing Arts Corporation, Inc. and The Hamilton Place Convention Centre, Inc. shall be open to the public except where the council of the city by by-law, authorizes meetings to be held in camera in respect of certain matters hereinafter referred to and as it may determine;

AND WHEREAS it is desirable to ensure that By-law No. 82-203 shall prevail, insofar as its subject matter applies, in the event of a possible conflict with any other by-law of the city.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 1 of section 44 of By-law No. 82-203 is amended by adding thereto the following clause:

(c) "local board" means the boards of directors of The Hamilton Performing Arts Corporation, Inc., and The Hamilton Place Convention Centre, Inc.

2. Section 47 of the said by-law is renumbered section 49.

3. The said by-law is amended by adding the following thereto:

ACCESS TO MEETINGS OF LOCAL BOARDS

47. Meetings of a local board shall be held in camera in respect of,

- (a) personnel matters, including matters relating to wages, salaries, benefits;
- (b) discipline, unless the individual affected requests that the meeting be open to the public;
- (c) collective bargaining;
- (d) litigation or communication respecting solicitor-client relationships including legal opinions and advice;
- (e) proposed or actual contracts with producers or promoters of exhibitions, shows or attractions.

48. The provisions of this by-law apply notwithstanding the provisions of any general or special by-law and in the event of any conflict between this by-law and any general or special by-law, this by-law prevails.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 4 R.L.C. 3, January 25

BY-LAW NO. 83 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE Twentyfifth DAY OF January, A.D., 1983.

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this Twentyfifth day of January, A.D., 1983.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.

To Borrow the Sum of \$7,500,000.00 to Finance Authorized Capital Projects Pending the Sale of Debentures for Projects Authorized as at December 31, 1982.

WHEREAS it is provided by Section 190 of The Municipal Act (Chapter 302, R.S.O., 1980) that the Council may borrow monies pending the issue and sale of debentures.

AND WHEREAS application has been made and approval given by the Ontario Municipal Board to the construction of the projects attached to this By-law and marked Schedule "A";

AND WHEREAS it may be necessary to borrow the sum of Seven Million Five Hundred Thousand Dollars (\$7,500,000.00) which is the amount the Council of The Corporation deems necessary to meet expenditures on the projects as set out in the attached Schedule "A" pending the issue and sale of the debentures to meet the cost of the projects concerned.

THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Mayor and Treasurer be and they are hereby authorized to borrow, as required, by way of promissory notes, sums not to exceed in the aggregate the sum of Seven Million Five Hundred Thousand Dollars (\$7,500,000.00) to meet expenditures for projects as listed on the attached Schedule "A" pending the issue and sale of the debentures therefor.
2. The Mayor and Treasurer be and they are hereby authorized and directed to sign a promissory note or notes and to affix the seal of The Corporation to each promissory note for such sum or sums as are required and which shall not exceed in the aggregate the sum of Seven Million Five Hundred Thousand Dollars (\$7,500,000.00). Such notes to bear interest at such rate or rates as may be determined by the Mayor and Treasurer, provided that the rates of interest do not exceed the prime borrowing rate at the time the loan is made.

PASSED this

day of

A.D. 1983

City Clerk.

Mayor.

SCHEDULE "A" TO BY-LAW NO.

To Borrow the Sum of \$7,500,000.00 to finance authorized Capital Projects prior to sale of related Debentures as supported by the following authorized, undebentured projects, as at December 31, 1982.

SUMMARY

Municipal General	5,585,000.00
Municipal Services	<u>3,834,912.00</u>
	<u>9,419,912.00</u>

Construction
By-law
Number
(1)

O.M.B.
Number
(2)

Project
(3)

Undebentured
Remainder of
Authorization
(4)

City of Hamilton
Treasury

SCHEDULE "A"

Municipal General

Protection to Persons and Property

Fire Department

81-266	E781293	Fire Station - North-East Corner of Barton and Wentworth Streets	484,000
81-318	E81695	Fire Station - East Mountain - Stone Church Road	730,000
		Total Protection to Persons and Property	1,214,000

Recreation and Cultural Services

Department of Culture and Recreation

82-2	E80341	Recreation Centre- Mountain - Sir Allan MacNab Secondary School	1,626,000
81-339	E81863	Major Renovations - Artificial Ice Rink - Coronation	399,000
82-204	E820366	Major Renovations - Lawfield Arena	233,000
82-95	E820127	Major Renovations - Artificial Ice Rink - Inch	610,000
		Sub Total Department of Culture and Recreation	2,868,000

Parks Division

Mohawk Sports Park (Stage 4)

Total Recreation and Cultural Services

550,000

3,418,000

Planning and Development

Community Development Department

Ontario Neighbourhood Improvement Program

- Homeside

- McQueston

Neighbourhood Improvement Program - Landsdale

Total Planning and Development

500,000
250,000
203,000

953,000

Total Municipal General

5,585,000

City of Hamilton
Treasury

SCHEDULE "A"

MUNICIPAL SERVICES

Construction By-law Number (1)	Ontario Municipal Board Number (2)	Sidewalks, Curbs and Alleyways (3)	Roadways (4)	Amount Authorized Not Debentured (5)
79-191	E79356	3,865	32,675	36,540
79-244	E79834	22,803	63,847	86,650
79-294	E791070	550		550
80-123	E791470		659,000	659,000
80-239	E80860	33,342		33,342
80-243	E80855		390,000	390,000
80-244	E80858		570,000	570,000
80-249	E80856	5,819		5,819
80-260/240	E80857	10,650		10,650
80-262	E80859		375,000	375,000
80-266	E801208	2,669		2,669
81-31	E801494	5,315	34,901	40,216
81-32	E801493		12,340	12,340
81-33	E801495		10,582	10,582
81-84	E801575		7,373	7,373
81-109	E8190	2,537	17,585	20,122
81-162	E81187	80,448	158,473	238,921
81-173	E81348	18,124		18,124
81-209	E81407	5,350	402,290	407,640
81-211	E81510	17,607	33,978	51,585
81-253	E81584	9,700	38,569	48,269
81-262	E81854	875		875
81-311	E81972		37,145	37,145
82-123	E820098	69,400		69,400
82-164	E820538	11,500		11,500
82-211	E820956		497,600	497,600
82-212	E820957		171,000	171,000
Pending	E821104	22,000		22,000
		<u>322,554</u>	<u>3,512,358</u>	<u>3,834,912</u>

November 23, 1982
GK/ae



**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

Tuesday, February 8, 1983
7:30 o'clock p.m.
Council Chambers
City Hall

A G E N D A

1. Prayer
2. Presentation of Certificates of Recognition to the Members of the Gibson and Landsdale Neighbourhood Improvement Programme Citizens' Planning Committees
2. Citizen Appointments to Licensing Committee
3. Minutes of Previous Meeting held January 25, 1983
4. Correspondence and petitions - City Clerk
5. Reports of Standing Committees
 - A Transport and Environment Committee
 - B Parks and Recreation Committee
 - C Finance Committee
 - D Planning and Development Committee
 - E Legislation Committee
 - F Personnel Committee
 - G Nominating Committee
6. Consideration of Notice of Motion given at previous meeting:-

RESOLVED: That, in these times of restraint, City Council adopt a policy for the years 1983-85 whereby no member of City Council or City Staff shall attend any Conference, Seminar, or Convention, at the taxpayers' expense, outside the boundaries of the Province of Ontario,

And Further, that the City Treasurer be directed to inform all Department Heads to readjust their budget accordingly.

Alderman B. Hinkley
7. Notice of Motions for next meeting
8. First reading of Bills
9. Second reading of Bills - Committee of the Whole
10. Third reading of Bills
11. Question period
12. Adjournment

MEETING OF CITY COUNCIL

February 8, 1983

REPORTS

A Transport and Environment Committee
B..... Parks and Recreation Committee
C Finance Committee
D Planning and Development Committee
E..... Legislation Committee
F..... Personnel Committee
GNominating Committee

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **FOURTH** Report for 1983 and respectfully recommends:

1. That the application by 370897 Ontario Limited to lease a portion of the boulevard of Nightingale Street adjacent to 39 Wentworth Street North, be approved provided that:
 - i. the owner complies with the requirements as set out in the policy respecting using a portion of the road allowance for parking purposes.
 - ii. the approach, parking area and other structures as required be constructed and maintained in accordance with the drawing on Schedule "B" of the agreement, at the owner's expense.
 - iii. the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - iv. the applicant pay the annual fee as established by City Council plus taxes, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.
2. That the existing "Alternate Side Parking" regulations on the following streets or parts of streets listed in Column 1 be revised such that parking will be prohibited:
 - i. on that side of the street listed in Column 2 during the months of December, January, February and March, and from the 1st to 15th day of April, May, June, July, August, September, October and November, and;
 - ii. on that side of the street listed in Column 3 from the 16th to last day of April, May, June, July, August, September, October and November.

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>
Emerald Street South Stinson Street to Southerly End	West	East
East Avenue South Stinson Street to Southerly End	West	East
Hillside Avenue Lawrence Road to Glendee Road	East	West
Arlington Road Lawrence Road to Glendee Road	West	East

3. That the existing "No Parking, 8:30 a.m. to 5:00 p.m., Monday to Friday" regulation on the south side of Forest Avenue, commencing at a point 84 feet east of Ferguson Avenue and extending to a point 65 feet easterly therefrom be rescinded.
4. That a parking prohibition be implemented on the north side of Justine Avenue between King Street East and Rosslyn Avenue South.
5. That:
 - i. The agreement permitting vehicles to be parked on the road allowance of Forest Avenue adjacent to the property at No. 50 Forest Avenue be discharged, at the property owner's expense, and;
 - ii. That City Solicitor be directed to prepare the documents in relation to the discharge of this agreement.
6. That a "Reserve Permit Parking" regulation be implemented on both sides of Caroline Street North between Cannon Street West and the Central Neighbourhood Park.
7. That the City Solicitor be directed to proceed with the preparation of By-laws to incorporate portions of Block 'J' Plan M-279 into the limits of Elmbank Street and Elmore Drive.

NOTE: The retention of this 1' reserve is now no longer necessary as Elmore Drive has been extended by the recent registration of Mentino Estates (Phase 2) Plan 62M-332 and service charges on Elmbank Street have been covered in the subdivision agreement.

8. That the City Solicitor be directed to proceed with the preparation of a By-law to incorporate 1' reserve, Block 'BX', Plan M-98 into the limits of Gardiner Drive.

NOTE: The retention of this 1' reserve is now no longer necessary since Gardiner Drive has been extended westerly by the recent registration of Corad Estates (Phase 1) Plan 62M-333.

9. That the City Solicitor be directed to proceed with the preparation of a By-law to incorporate 1' reserve, Block 'BX', Plan M-172 into the limits of Gafney Drive.

NOTE: The retention of this 1' reserve is now no longer necessary since Gafney Drive has been extended southerly by the recent registration of Corad Estates (Phase 1) Plan 62M-333.

10. That:
 - i. The 1983 Reconstruction/Resurfacing Program, appended hereto, in the amount of \$4 700 000 be approved.
 - ii. The necessary By-laws be prepared by the City Solicitor and the City Clerk be authorized and directed to advertise these By-laws as required by Clause 446 of The Municipal Act, of the City's intention to proceed with the altering of the following streets:

- (a) Concession Street from Belvidere Avenue to Vola Court.
 - (b) East Bend Avenue from Cannon Street to King Street.
 - (c) East 5th Street from Brucedale Avenue to Fennell Avenue.
 - (d) Highland Avenue from Gage Avenue to T.H.& B. Railway.
 - (e) Kelly Street from Ferguson Avenue to Wellington Street.
- iii. That the Finance Committee establish the method of financing.
 - iv. That the Regional Commissioner of Engineering be authorized to undertake these works on behalf of the City of Hamilton once all the necessary approvals have been received.
 - v. That the Regional Commissioner of Engineering be authorized to request the M.T.C. to review the method of Road Needs Allocation to better reflect the road expenditures experienced by municipalities.
11. Whereas City Council at its meeting held 81 06 13 approved the application of Joe-Ank Associates Limited for an encroachment agreement to use the boulevard in front of 24 Hess Street South for the purpose of an outdoor cafe; and
- Whereas the owners were unable to fully implement the encroachment in 1981;
- It is therefore recommended that the encroachment fee in the amount of \$1,105, paid by the applicant in 1981, be applied to the 1982 encroachment agreement fee.
- Furthermore, it is understood that approval of this recommendation is not to be construed as a precedent for future applications of this nature.
12. i. That the invoice from the Region of Hamilton-Wentworth in the amount of \$29 175.72 for the reconstruction of the sidewalks on the Dundurn Street Bridge over the T.H.& B. Railway be paid.
- ii. That the Finance Committee recommend the method of financing.

NOTE: Financial Considerations

The City's costs are therefore as follows:

Concrete Removal - Sidewalk	\$19 344 x 0.6 =	\$11 606.40
Place Concrete - Sidewalk	\$20 956 x 0.6 =	\$12 573.60
Reinforcing Steel - Sidewalk	\$ 1 150 x 0.6 =	\$ 1 890.00
Inspection 26 070 x \$7 476.31		
162 826.16		<u>\$ 1 197.03</u>
	Sub Total	\$27 267.03
7% Administration Charge		<u>\$ 1 908.69</u>
	Total	\$29 175.72

13. Whereas it is desirable and expedient that certain works be undertaken, it is hereby recommended:

- i. That the report of the Commissioner of Engineering and the City Treasurer, appended hereto, recommending the construction of a 3.7m wide concrete alley as Local Improvements on petition of the abutting owners pursuant to Section 11 of the Local Improvements Act be adopted;
- ii. That the City Solicitor be directed to make application for approval under Section 64 of the Ontario Municipal Board Act.
- iii. That the Regional Commissioner of Engineering be authorized to construct these works on behalf of the city of Hamilton.
- iv. That the Finance Committee determine the method of financing.

14. That the following recommendation of the Commissioner of Engineering respecting the Local Improvement charges for construction of roads, sidewalks, curbs and alleys be approved:

- i. That the following changes be made in the maximum charges per metre of frontage:

<u>ITEM</u>	<u>FROM</u>	<u>TO</u>	
(a) Curbs Only	\$ 20.00	\$ 20.00	(no change)
(b) Sidewalks Only	\$ 40.00	\$ 42.50	
(c) Sidewalks and Independent Curbs or Combined Sidewalks and Curbs	\$ 48.00	\$ 51.00	
(d) Roadway Only	\$100.00	\$106.00	
(e) Alleys	\$ 38.00	\$ 38.00	(no change)
(f) Roadway and Curbs Only (Industrial Subdivisions)	\$120.00	\$128.00	

- ii. That the City Solicitor be authorized and directed to amend the Local Improvement By-Law.

15. That:

- i. the commercial portion of the property at 1079 Upper James Street be leased to Embassy General Contractors Ltd. for a term of one year commencing February 15, 1983 at an annual rental of \$11,040 (which includes realty taxes of \$5,396.31) to be paid in monthly installments of \$920.00, with said rental payments commencing March 1, 1983. The rent for the period February 15, 1983 to February 28, 1983 shall be the nominal sum of \$1.00.
- ii. The lessee to have the option to renew for a further one year period at a rental agreeable to both parties and after it has been established that the land will not be required for the Mountain Freeway during the term. The lessee will be responsible for all utility charges pertaining to the commercial

portion of this property, plus all minor repairs to the building and maintenance of the parking area. The City will be responsible for all major repairs to the building such as a roof, electrical, heating and plumbing.

- iii. The City Solicitor be authorized to prepare the necessary lease for this property.

16. That the following recommendations of the Director of Purchases be approved:

- i. ALLIED CHEMICAL CANADA LTD., Toronto, Ontario.

Flake Calcium Chloride, Delivered to City Yards, Federal Sales Tax and Ontario Retail Sales Tax Extra if applicable.

\$230.98/Tonne

Prices subject to adjustment for the quarterly period commencing July 1, 1983 and quarterly thereafter upon 15 days advance written notice.

NOTE: Lower of two tenders received.

- ii. KOPPERS LIMITED, Cambridge, Ontario.

<u>Culvert Pipe</u>	<u>Size</u>	<u>Corrugated Per Metre</u>	<u>Couplers Each</u>	<u>Helical Per Metre</u>	<u>Couplers Each</u>
	800 mm x 1.6mm	\$35.97	\$10.97	\$35.97	\$10.97

All prices are F.O.B. Delivered. Federal and Provincial Taxes are exempt.
NOTE: Lowest of five acceptable tenders.

- iii. J.V. HOLT SALES LIMITED, Peterborough, Ontario.

<u>Culveret Pipe</u>	<u>Size</u>	<u>Corrugated Per Metre</u>	<u>Couplers Each</u>	<u>Helical Per Metre</u>	<u>Couplers Each</u>
	200 mm	\$10.82	\$3.30	\$11.36	Included
	250 mm	13.78	4.20		
	2 mm x 300 mm	16.85	5.14		
	1.6 mm x 300 mm	13.93	4.25		
	2 mm x 400 mm	22.31	6.80		
	1.6 mm x 400 mm	18.90	5.76		
	2 mm x 450 mm	25.34	7.73		
	1.6 mm x 450 mm	21.78	6.64		
	2 mm x 500 mm	29.64	9.04		
	2 mm x 600 mm	33.38	10.18		
	1.6 mm x 600 mm	27.91	8.51		
	2 mm x 900 mm	53.09	16.18		

All prices are F.O.B. Delivered. Federal and Provincial Taxes are exempt.
NOTE: Lowest of 5 acceptable tenders.

iv. WESTEEL-ROSCO, Toronto, Ontario.

To supply the following bolts for guard rail:

10.5" @ \$1.25 each
18" @ \$1.70 each
1.5" @\$.50 each

Pluse 7% Ontario Tax

NOTE: Lowest of 3 tenders received.

v. CANADIAN CORPS OF COMMISSIONAIRES (HAMILTON).

To provide Parking Enforcement services for the Traffic By-Law Enforcement of the Traffic Department, parking enforcement for the year 1983 at the following rates:

	<u>Regular Rate</u> <u>Per Hour</u>	<u>Overtime Rate</u> <u>Per Hour</u>	<u>Holiday Rate</u> <u>Per Hour</u>
Sergeant	\$7.84	\$11.76	\$19.60
Commissionaires	7.02	10.53	17.55

- vi. That the City exercise its option to extend the contract for Potable Water, awarded to Frank Chaston Water Haulage by Council October 12th, 1982, from January 1st, 1983 to October 30th, 1985, that a Letter of Credit in the amount of \$7,500.00 be required from the successful bidder and that the Mayor and City Clerk be authorized to execute the option.

NOTE: Lowest of 4 tenders.

17. For the information of Council, the Transport and Environment Committee at its meeting held Monday, January 31, 1983, approved the following Terms of Reference and Committee Composition for the Pollution Control Sub-Committee:

TERMS OF REFERENCE

The duties of the Pollution Control Sub-Committee shall be:

- i. to act as an intermediary between the Provincial and Federal Government Departments on pollution control and the public;
- ii. to disseminate information to the public regarding pollution control, and generally to assist in the fight against pollution in the Metropolitan Hamilton area;
- iii. to report on all matters re: collection of solid waste and domestic refuse;
- iv. to report on all matters pertaining to the protection of the environment from excessive air, water, ground and noise pollution.

COMPOSITION OF COMMITTEE

4 Elected Members	-	Alderman Henry Merling, Chairman
(voting members)	-	Alderman Mary Kiss, Vice-Chairman
	-	Alderman Tom Murray
	-	Alderman Shirley Collins
5 Citizen Members	-	two from Industry
(non-voting members)	-	one from C.H.O.P.
	-	one from School Board
	-	2 citizen members (to be advertised)

NOTE: Mr. Vic Forde, Director of Regional Laboratories to serve as a consultant.

18. That leave be granted to introduce the following bill:

(a) A-11 - By-law to Amend By-law No. 66-100 to Regulate Traffic

RESPECTFULLY SUBMITTED,

ALDERMAN H. MERLING, CHAIRMAN

R. C. Prowse, Secretary
January 31, 1983
Attach.

Referred to in Section 10
of the Fourth Report of the
Transport & Environment
Committee.

CITY OF HAMILTON

1983 RECONSTRUCTION/RESURFACING PROGRAMME

PREPARED BY

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

TRANSPORTATION ENGINEERING SERVICES SECTION

JANUARY 1983

	<u>PAGE</u>	<u>ESTIMATED COST</u>
A. Road and Abutting Sidewalks	1 - 3	\$ 3 625 000
B. Sidewalks	4 - 5	963 000
C. Alleys	6	112 000
D. Supplementary List (streets to be reconstructed in 1983 if residual funds are available)	7 - 9	3 712 000

CONTENTS

CITY OF HAMILTON 1983 RECONSTRUCTION/RESURFACING PROGRAMME

A) ROADS AND ABUTTING SIDEWALKS

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Existing Width</u>	<u>Proposed Width</u>	<u>Estimated Cost</u>	<u>Proposed Improvements</u>
Amelia Street	West end	Beckett Dr.	390 m	7.3 m	7.3 m	137 000	- road improvement west end to Kent - sidewalk reconstruction and repair - both sides west end to Kent - north side Kent to Beckett
Belview Avenue	Cannon	King	455 m	7.3 m	7.3 m	235 000	- road improvement - sidewalk reconstruction (both sides)
Cannon Street	Sherman	Gage	730 m	12.1 m	12.1 m	636 000	- road improvement - sidewalk reconstruction (north side - Balsam to Sherman) - south side - Lottridge to Sherman)
Freeman Place	James	Mountwood	165 m	6.0 m	6.0 m	79 000	- road improvement - sidewalk reconstruction and repair (north side James to Mountwood south side Mountwood to 55 m westerly)
East Avenue	Cannon	Wilson	210 m	7.3 m	7.3 m	143 000	- road improvement - sidewalk reconstruction (both sides)
East Bend	Cannon	King	290 m	7.3 m	8.5 m	186 000	- road improvement and widening (0.6 m each side) - sidewalk reconstruction (both sides)

A) ROADS AND ABUTTING SIDEWALKS Cont'd

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Existing Width</u>	<u>Proposed Width</u>	<u>Estimated Cost</u>	<u>Proposed Improvements</u>
Emerald Street	Main	Stinson	350 m	6.9 m	6.9 m	197 000	- road improvement - sidewalk reconstruction (both sides)
Fullerton Avenue	Princess	Barton	225 m	8.6 m	8.6 m	93 000	road improvement
George Street	Locke	Queen	395 m	6.9 m	6.9 m	216 000	- road improvement - sidewalk reconstruction (both sides)
Hughson Street	CNR	Barton	150 m	9.1 m	9.1 m	102 000	- road improvement - sidewalk reconstruction (both sides)
Lloyd Street	Lottridge	Gage	425 m	7.8 m	7.8 m	211 000	- road improvement
Longwood Road	Franklin	King	730 m	10.9 m	10.9 m	449 000	- road improvement - sidewalk repair (both sides)
Stapleton Avenue	Beach	McAnulty	305 m	7.3 m	7.3 m	182 000	- road improvement - sidewalk repair and reconstruction (both sides)
Stroud Road	Westwood	Royal	480 m	6.3m-8.0m	6.3m-8.5m	290 000	- road improvement and widening (Baxter to Royal widen to 8.5 m east side only) - sidewalk repair and reconstruction (both sides) - carry over from 1982

A) ROADS AND ABUTTING SIDEWALKS Cont'd

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Existing Width</u>	<u>Proposed Width</u>	<u>Estimated Cost</u>	<u>Proposed Improvements</u>
West Avenue	95m ± north end Stinson	Young	165 m	6.1m-7.3m	6.1m-7.3m	107 000	- road improvement - sidewalk reconstruction (both sides)
Wexford Avenue	Central	Monterey	167 m	7.3 m	7.3 m	104 000	- road improvement - sidewalk repair and reconstruction (both sides)
Whitney Avenue	435 m west of Emerson	Emerson	435 m	12.1 m	12.1 m	258 000	- road improvement - sidewalk repair (both sides)
TOTAL ROADS AND ABUTTING SIDEWALKS						3 625 000	

B) SIDEWALKS

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Side</u>	<u>Length</u>	<u>Estimated Cost</u>	<u>Remarks</u>
Acorn Street	Sanford	Arthur	South	130 m	23 500	- sidewalk reconstruction
Barton Street	Locke	Ray	South	210 m	52 000	- sidewalk reconstruction
Barton Street	Bay	James	Both	450 m	100 000	- sidewalk reconstruction Regional Road
Belview Avenue	Barton	80 m Southerly	East	80 m	12 500	- sidewalk reconstruction (1982 carry over)
Clark Avenue	Ferrie	Burton	Both	230 m	35 500	- sidewalk reconstruction
Clyde Street	Wright	Cannon	Both	550 m	59 000	- sidewalk reconstruction
Crooks Street	North End	York	Both	595 m	96 000	- sidewalk reconstruction
Douglas Street	Mars	Shaw	Both	550 m	91 000	- sidewalk reconstruction
Grove Street	Liberty	Wellington	Both	285 m	64 000	- sidewalk reconstruction - widen road to 8.0 m (1.3 m north side - 1982 carry over)
Malta Drive	Dunkirk	Dundonald	West	310 m	66 000	- sidewalk reconstruction (1982 carry over)

B) SIDEWALKS Cont'd

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Side</u>	<u>Length</u>	<u>Estimated Cost</u>	<u>Remarks</u>
McKinstry Street	Burlington St.	Brant	West	205 m	32 000	- sidewalk reconstruction
Nelson Street	Locke	Pearl	Both	270 m	42 000	- sidewalk reconstruction
Niagara Street	Burlington	Brant	Both	425 m	65 000	- sidewalk reconstruction
Oxford Street	Barton	York	Both	700 m	95 500	- sidewalk reconstruction
Simcoe Street	James	Catharine	Both	640 m	104 000	- sidewalk reconstruction
Wright Avenue	West end	Leeming	Both	195 m	25 000	- sidewalk reconstruction
					<u>963 000</u>	

TOTAL SIDEWALKS

C) ALLEYS

<u>Streets Between</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Estimated Cost</u>	<u>Remarks</u>
Barton and Huron	Stirton	Birch	55 m	10 500	Constructed in 1959
Herkimer and Stanley	Kent	Queen	190 m	32 500	Constructed in 1929
Herkimer and Stanley	Locke	Kent	190 m	34 500	Constructed in 1929
King and King William	Mary	Walnut	95 m	16 000	Constructed in 1913 (1982 carry over)
Wellington and West	Hunter	East-west alley south of Main	130 m	18 500	Constructed in 1913 (1982 carry over)
		TOTAL ALLEYS		<u>112 000</u>	

D) SUPPLEMENTARY LIST

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Existing Width</u>	<u>Proposed Width</u>	<u>Estimated Cost</u>	<u>Proposed Improvements</u>
Evans Street	Wellington	Emerald	410 m	4.9 m	4.9 m	165 000	- road improvement - sidewalk reconstruction (both sides)
Highland Avenue	Gage	T.H. & B. Railway	225 m	7.3 m	8.5 m	149 000	- road improvement and widening (0.9 m north side and 0.3 m south side) - sidewalk reconstruction (both sides)
Walnut Street	King William	King	105 m	7.7 m	7.7 m	64 000	- road improvement - sidewalk reconstruction (both sides)
Lottridge Street	Beach	Barton	610 m	7.3m-9.1m	7.3m-9.1m	380 000	- road improvement - sidewalk reconstruction (west side Barton to Beach - east side Barton to CNR)
Foster Street	Walnut	Stinson	350 m	6.7 m	6.7 m	66 000	- road improvement - sidewalk reconstruction (both sides)
South Oval	King	Newton	395 m	7.3 m	7.3 m	242 000	- road improvement - sidewalk reconstruction and repair (both sides)
Robert Street	James	Elgin	470 m	9.1 m	9.1 m	303 000	- road improvement - sidewalk reconstruction and repair (both sides)

D) SUPPLEMENTARY LIST

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Existing Width</u>	<u>Proposed Width</u>	<u>Estimated Cost</u>	<u>Proposed Improvements</u>
Ashley Street	Wilson	King	230 m	7.7 m	7.7 m	137 000	- road improvement - sidewalk repair and reconstruction (both sides)
Belvidere Avenue	Concession	Inverness	365 m	9.0 m	9.0 m	254 000	- road improvement - sidewalk reconstruction and repair (both sides)
Concession Street	Belvidere	Vola	245 m	12.1 m	9.0 m	192 000	- road improvement and width reduction (3.6 m north side only) - sidewalk repair and reconstruction (3.6 m north side only) - sidewalk repair and reconstruction (both sides)
Kelly Street	Ferguson	Wellington	215 m	7.3 m	8.5 m	148 000	- road improvement and widening (1.2 m north side only) - sidewalk reconstruction and repair (both sides)
Strachan Street	James	Ferguson	640 m	8.2 m	8.2 m	329 000	- road improvement - sidewalk reconstruction (both sides)
Campbell Avenue	Frederick	Robins	185 m	8.5 m	8.5 m	109 000	- road improvement - sidewalk reconstruction (both sides)
Britannia	Park Row	Kenilworth	440 m	7.3 m	7.3 m	270 000	- road improvement - sidewalk reconstruction (both sides)

D) SUPPLEMENTARY LIST

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Existing Width</u>	<u>Proposed Width</u>	<u>Estimated Cost</u>	<u>Proposed Improvements</u>
Macklin Street	Dufferin	King	150 m	7.3 m	7.3 m	121 000	- road improvement - sidewalk repair (both sides)
Albany	Robins	Kenilworth	195 m	7.3 m	7.3 m	112 000	- road improvement - sidewalk reconstruction (both sides)
Mulberry Street	Park	James	245 m	8.5 m	8.5 m	168 000	- road improvement - sidewalk reconstruction and repair (both sides)
St. Clair Blvd.	Cumberland	T.H. & B. Railway	70 m	7.6 m	7.6 m	41 000	- road improvement
King William Street	Victoria	Emerald	200 m	9.1 m	9.1 m	122 000	- road improvement - sidewalk reconstruction (both sides)
East 5th Street	Bruce Dale	Fennell	205 m	7.3 m	8.5 m	120 000	- road improvement and widening (1.2 m west side only) - sidewalk reconstruction and repair (both sides)
Biggar Avenue	Sherman	Lottridge	410 m	8.5 m	8.5 m	220 000	- road improvement - sidewalk reconstruction and repair (north side)

TOTAL SUPPLEMENTARY LIST

3 712 000

REPORT ON LOCAL IMPROVEMENTS

To the Chairman and Members of the Transport and Environment Committee

Members of the Committee:

The following works are recommended to be undertaken as Local Improvements under "The Local Improvement Act".

Character or description of work or undertaking:

Name of Street upon which work is to be Constructed	Between the following Streets or Points	Project Number	Estimated Lifetime Cost of Work in Years	Share or Portion of Cost which should be Borne by the Lands Abutting directly on the Work to be Debentured		Share or Portion of that should be Borne by the Corporation	Reduction Which Ought to be Made under Section 28 of the Act		Aggregate Amount of such Reduction	Estimate: Cost Per Metre to be Rated
3.7m wide concrete alley	Bounded by Barton St., Glendale, Beechwood and Cavell Avenues	801-41H	20	\$22 000	\$8 010	\$13 990	NIL	NIL	NIL	\$38

Estimated Subsidy: NIL
Estimated Net City's Share: \$13 990

Referred to in Section 13 of the Fourth Report of the Transport and Environment Committee.

- Estimated cost per metre increased by approx. 160% if debentured over 15 years.

DATED at Hamilton this day of A.D., 19
W. H. McFarland J. R. G. Leach
Treasurer and Commissioner of Finance. Commissioner of Engineering

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **FIFTH** Report and respectfully recommends:

1. That no action be taken on the request of the Hamilton Cricket Club to provide a new fieldhouse in Churchill Park at an estimated 1984 construction cost of \$55,000.00.

NOTE: For the information of the Members of City Council, the Committee wishes to advise that this recommendation is based on the fact that this single purpose facility cannot be considered a priority in these times of budgetary restraint and further the Club's contribution is proposed to be only \$10,000.00 of the total cost of the project.

2. The Committee advises that in connection with the long range plans to develop the Beach Strip for park and recreational purposes, the following options on property on the Beach Strip have been exercised by the Hamilton Region Conservation Authority.

PROPERTY ADDRESS	PURCHASE PRICE
57 Beach Boulevard	\$19,000.00
133 Beach Boulevard	\$24,500.00
172 Beach Boulevard	\$8,450.00
182 Beach Boulevard	\$20,000.00
483 Beach Boulevard	\$4,700.00
493 Beach Boulevard	\$27,000.00
499-505 Beach Boulevard	\$36,000.00
517-517-1/2 Beach Boulevard	\$31,500.00
579 Beach Boulevard	\$33,250.00
727-1/2 Beach Boulevard	\$1,000.00
809 Beach Boulevard	\$32,800.00
920 Beach Boulevard	\$49,000.00
984 Beach Boulevard	\$51,800.00
997 Beach Boulevard	\$38,500.00
1033 Beach Boulevard & 10 Manor	\$32,600.00
5 Clare Avenue	\$28,800.00
5 Dexter Avenue	\$28,500.00
13 Grafton Avenue	\$23,000.00
2 Kirk Road	\$28,200.00
7 Knapman Drive	\$25,000.00
22 Lagoon Avenue	\$26,000.00
8 Mareve Avenue	\$17,000.00
2 North Park Avenue	\$21,000.00
8 North Park Avenue	\$19,000.00
14 Renfrew Avenue	\$18,900.00
18 Renfrew Avenue	\$29,400.00

In accordance with the lease back arrangements between the City of Hamilton and the Hamilton Region Conservation Authority, it is recommended that the above properties be added to the schedule of properties to be leased by the City of Hamilton.

3. Approval of the awarding of the following contracts:

(a) UNITED STEP AND METAL LTD., Hamilton, Ontario

To supply and install grave crypts at various cemeteries for the years 1983, 1984 and 1985 in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

Regular Size	\$145.00 each
Youth Size	\$140.00 each
Oversize	\$160.00 each
Intermediate	\$150.00 each

NOTE: Lowest of three tenders received.

(b) HARDTS LANDSCAPING, Caistor Centre, Ontario

To supply all labour and equipment required for cutting of grass at various cemeteries for the years 1983, 1984 and 1985, in accordance with specifications issued by the Director of Purchasing, and Vendor's Tender for the total sum of \$120,480.00

NOTE: Lowest of five tenders received.

(c) HARRISONS & CROSFIELD (CANADA) LTD., Toronto, Ontario

Liquid Chlorine in 68 Kg. cylinders - delivered to various locations. Federal Sales Tax included, Ontario Sales Tax extra \$76.34 per cylinder

Cylinder deposit \$175.00

Prices firm until March 31, 1983, then subject to quarterly price protection with 30 days notice of change.

NOTE: Lower of two tenders received.

(d) TENNIER ABSORBENT PRODUCTS LTD., Hamilton, Ontario

Dense Soda Ash in 40 Kg. bags - delivered to various locations. Federal Sales Tax included, Ontario Sales Tax extra \$14.30 per 40 Kg. bag

NOTE: Lowest of three tenders received.

(e) TENNIER ABSORBANT PRODUCTS, Hamilton, Ontario

65% Calcium Hypochlorite Chlorinating Compound in 45.4 Kg. drums - delivered to various locations. Federal Sales Tax included, Ontario Sales Tax extra \$119.50 per drum

Price firm for a period of 30 days.

NOTE: Lowest of three tenders received.

(f) CANADIAN INDUSTRIES LTD. INC., Toronto, Ontario

Gound Aluminum Sulphate in 40 Kg. bags - delivered to various locations. Federal Sales Tax included, Ontario Sales Tax extra \$410.28 Tonne

Monthly price protection with 15 days notice of increase.

• **NOTE:** Lowest of three tenders received.

(g) CANADIAN INDUSTRIES LTD. INC., Toronto, Ontario

Muriatic Acid in 22 Kg. containers - delivered to various locations. Federal Sales Tax included, Ontario Sales Tax extra \$0.403 Kg.

Deposit on returnable containers at \$7.00 each.

Firm price until March 31, 1983, then calendar quarterly price protection with 15 days notice of any price increase.

NOTE: Lower of two tenders received.

4. Approval of a Change Order in the amount of \$3,359.77 in favour of Dufferin Construction Company for additional work required to be carried out in connection with the park development at Birge Park.

Parks and Recreation
Committee Report

- 4 -

NOTE: This additional work involves the removal of old concrete foundation material which was not removed when the original structures were demolished. For the information of the members of City Council the committee wishes to advise that the original approved amount of the contract with Dufferin Construction Company was \$138,995.00.

Funds are available through the Neighbourhood Improvement Programme (NIP) for this expenditure.

Respectfully submitted,

Alderman B. Hinkley, Chairman
Parks and Recreation Committee

J. J. Schatz, Secretary
January 27th, 1983

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its **FOURTH** Report and respectfully recommends:

1. That the City of Hamilton grant permission to the Hamilton Performing Arts Corporation Inc., (Hamilton Place) to use the first floor of the old library building from February 7th to March 27th, 1983 for the purpose of rehearsing the play "JESUS CHRIST SUPERSTAR".

This play is being produced by Hamilton Place in conjunction with the Hamilton Board of Education.

Inasmuch as the purpose of the production is to promote a strong community involvement with a projected break-even budget, the Committee is recommending that no fee be charged for this group's use of the old library.

2. Approval of the awarding of the following contracts:

(a) **MILLS LIGHTHOUSE, Hamilton, Ontario**

Supply and delivery of electric light bulbs to various departments for the year 1983, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender at the net price shown, Federal Sales Tax included, Ontario Sales Tax extra @ 7%. Terms net 45 days.

Total estimated contract \$17,217.84.
Discount for items not listed in tender - 30%.

NOTE: Lowest of five (5) acceptable tenders received.

(b) **VALLANCE BROWN & CO., Hamilton, Ontario**

Supply and delivery of electric light bulbs to various departments for the year 1983, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender at the net price shown. Federal Sales Tax included, Ontario Sales Tax extra @ 7%. Terms 2% 15 days, net 30.

Total estimated contract \$15,402.70.
Discount for items not listed in tender - 35%.

NOTE: Lowest of five (5) acceptable tenders received.

(c) **UNION ELECTIC CO., Hamilton, Ontario**

Supply and delivery of electric light bulbs to various departments for the year 1983, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender at the net price shown. Federal Sales Tax included, Ontario Sales Tax extra @ 7%. Terms 2% 10 days, net 30.

Total estimated contract \$12,245.52.
Discount for items not listed in tender - 50%.

NOTE: Lowest of five (5) acceptable tenders received.

(d) CANADIAN GENERAL ELECTRIC CO., Hamilton, Ontario

Supply and delivery of electric light bulbs to various departments for the year 1983, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender at the net price shown. Federal Sales Tax included, Ontario Sales Tax extra @ 7%. Terms 2% 10 days, net 30.

Total estimated contract \$3,460.70.
Discount for items not listed in tender - 40%.

NOTE: Lowest of five(5) acceptable tenders received.

(e) WESCO LTD., Hamilton, Ontario

Supply and delivery of electric light bulbs to various departments for the year 1983, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender at the net price shown. Federal Sales Tax included, Ontario Sales Tax extra @ 7%. Terms 2% 10, net 30 days.

Total estimated contract \$3,901.93.
Discount for items not listed in tender - 41%.

NOTE: Lowest of five (5) acceptable tenders received.

(f) BURNS INTERNATIONAL SECURITY SERVICES, Hamilton, Ontario

To provide security services for various civic properties for a three year contract at the following rates:

	1983	1984	1985
Security Guard	\$5.20 per hour	\$5.46 per hour	\$5.73 per hour
Patrol Service	\$7.50 per hour	\$7.90 per hour	\$8.30 per hour

NOTE: Lowest of five (5) tenders received.

(g) ANNUAL SUPPLY CONTRACTS

Annual Supply Contracts resulting from a tender call initiated by the Regional Engineer on behalf of the Region and the City, taking into account all factors the following is recommended.

(i) SHELL CANADA LTD., Toronto, Ontario

Federal Sales Tax included. Ontario Retail Sales Tax extra.

Lubricating Oil, Heavy Duty, Multigrade

10W-30 - Shell Rotella S Multigrade	- \$.92 Litre - Steel Drums .85 Litre - Tank Wagon (2700 L min.) 25.20 Case - 1 Litre Cans
20W-40 - Shell Rotella S Multigrade	-	.92 Litre - Steel Drums .85 Litre - Tank Wagon (2700 L min.) 25.20 Case - 1 Litre Cans
15W-40 - Shell Rotella T Multigrade	-	1.11 Litre - Steel Drums 29.76 Case - 1 Litre Cans
10W-10 - Shell Rotella T 10W		.95 Litre - Steel Drums 1.08 Litre - 1 Litre Cans

Lubricating Oil, Heavy Duty, Single Grade

SAE 30 - Rotella T Single Grade	\$.95 Litre - Steel Drums
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Lubricating Oil, Heavy Duty, Single Grade
(for Detroit Diesels and small 4 cycle Engines)

SAE 30 Rotella Single Grade	- \$.83 Litre - Steel Drums
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Lubricating Oil, Two Cycle Engines

Shell Super Outboard	- \$	1.30 Litre - Steel Drums 1.70 Litre - Case (20 X 550 ml)
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Lubricating Oil, Hydraulic Systems, not including
Gradalls, extension Vehicles

Shell Decol 32	- \$.93 Litre - 205 L Drums
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Lubricating Oil, Hydraulic Systems for use in Gradalls,
Aerial Boom Trucks, Extension Vehicles, Backhoes

Shell Lowtherm 32	- \$.98 Litre - 205 Litre Drums
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Lubricant Grease, Multi-Duty

Shell MP Grease MDS	- \$	2.27 Kg. - 55 Kg. Drums 2.18 Kg. - 180 Kg. Drums 1.20 Tube - 400 g tube
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Grade 90	- \$	1.21 Litre - 60 Litre containers
		1.12 Litre - 205 Litre containers

Lubricant, Gear, Multi-purpose

Grade 140	- \$	1.19 Litre - 60 Litre containers
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NOTE: Lowest of five (5) acceptable tenders.

(ii) SHELL CANADA LTD., Toronto, OntarioIlluminating Oil (kerosene)

Ontario Retail Sales Tax exempt for heating purposes only.
Ontario Retail Sales Tax extra for cleaning, etc.

Tank Wagons	- \$.265 Per Litre
205 Litre Drums	-	.375 Per Litre

Petroleum Spirits (Mineral Spirits)

205 Litre Drums	- \$.59 Per Litre
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NOTE: Lowest of three (3) acceptable tenders.

(iii) TEXACO CANADA INC., Toronto, OntarioGasoline - Tank Wagon

Type "A" - Regular Unleaded	- \$.3515 Litre
Type "B" - Premium Unleaded	-	.3635 Litre
Type "C" - Regular Leaded	-	.3295 Litre
Diesel Fuel Oil	-	.3270 Litre

Posted prices subject to change without notice. Discounts firm.

NOTE: Lowest of six (6) tenders received.

Automatic Transmission Fluid - Fluid for Ford Vehicles

Federal Sales Tax included. Ontario Retail Sales Tax extra.

1 Litre Cans	- \$30.72 per Case
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Automatic Transmission Fluid

Dexron

- \$1.10 Per Litre - 205 Litre Drums
- 30.00 Per Case - 1 Litre Cans

NOTE: Lowest of four (4) tenders received.

3. That authorization be given to change suppliers for the Terminal Control Units which has the effect of reducing the monthly charge from \$3,000. per month to \$2,600. per month, but which involves an exchange of cheques, in the amount of \$51,000. between the City and Telex Computer Products Inc. The City would issue a cheque to IBM for \$51,000. and immediately receive, in exchange, a cheque from Telex Computer Products Inc. in the amount of \$51,000. with zero cost to the City.
4. Section 12 of the Fourth Report of the Transport and Environment Committee makes reference to the re-construction of sidewalks on the Dundurn Street Bridge over the T.H. & B. Railway.

The Finance Committee recommends that the City Treasurer be authorized to pay the invoice from the Regional Municipality of Hamilton-Wentworth, in the amount of \$29,175.12, for the re-construction of the sidewalks on the Dundurn Street Bridge over the T.H. & B. Railway and that this amount be charged to the 1982 budget in Account No. 0352-0263, for which an amount of \$9,500.00 is available.

The amount of \$19,675.72 over and above the available funds of \$9,500.00 will be financed by means of an approved overdraft in the 1982 accounts under Account No. 0352-0263.

5. Section 10 of the Fourth Report of the Transport and Environment Committee makes reference to a 1983 Reconstruction/Resurfacing Program.

Because these projects are still under review and a firm commitment cannot be made from the Capital Levy for the full amount, the Finance Committee recommends as follows:

- (a) In order to allow the Regional Engineering Department to proceed with the Reconstruction Programme, the Programme, as submitted, in the estimated amount of \$4,700,000.00, be approved, with the understanding that the net cost to the City, after the Roadway Subsidy, will not exceed \$3,170,000.00; and,
- (b) that the financing of the \$3,170,000.00 be provided from the 1983 Capital Levy.
6. That the total 1982 current fund overdrafts, as set forth in Schedule "A"(attached), in the amount of \$177,370.00, which have originated since the last Council meeting, December 14, 1982, be approved.
7. That the balance remaining in the 1982 Contingency Account, in the amount of \$116,060. be transferred to provide for additional City costs for the Ontario Employment Incentive Programme, Account No. 0378-3200, \$14,200, with the balance remaining of \$101,860. to partially provide for the over expenditure in the Remissions Account, No. 0378-0498.

8. In accordance with section 243 of The Municipal Act, R.S.O. 1980, Chapter 302, which requires the Treasurer of the municipality to submit to the Council, prior to February 28th, each year, a statement of remuneration and expenses of members of Council and members of other bodies in respect of certain services in the prior year, submitted herewith is a statement of the Treasurer respecting remuneration and expenses paid to members of Council and members of other bodies for the year 1982.

STATEMENT OF THE TREASURER

REMUNERATION AND EXPENSES PAID TO MEMBERS OF COUNCIL AND MEMBERS OF OTHER BODIES FOR THE YEAR 1982

(Prepared pursuant to By-law No. 79-60 Approved by Council January 29, 1979, By-law 79-300 Approved by City Council October 30, 1979 and Section 243 of The Municipal Act, R.S.O. 1980, Chapter 302)

1. Remuneration:

<u>(a) Members of Council</u>	<u>Salary *</u>
Agro, V. J.	11,500.00
Bethune, J. A.	11,500.00
Charlton, B. A.	958.33
Collins, S. J.	958.33
Cowell, P. R.	11,500.00
Davidson, M. N.	958.33
Drage, P. W.	10,541.67
Edge, K. M.	10,541.67
Gray, D. B.	11,500.00
Hinkley, B. K.	11,500.00
Kiss, M. A.	958.33
Lawrence, D.	10,541.67
Lombardo, F. A.	11,500.00
MacDonald, J.	10,541.67
McCulloch, W. M.	11,500.00
Merling, H.	11,500.00
Morrow, R. M.	2,666.67
Murray, T.	958.33
Peterson, P. J.	11,500.00
Powell, W.	29,333.33
Scott, V. J.	958.33
Stout G. I.	11,500.00
Valeriano P. O.	10,541.67
Wheeler R.	10,541.67
	<u>216,000.00</u>

One-third of these amounts deemed to be "expenses" in accordance with Section 251 of The Municipal Act.

(b) Committee of Adjustment

<u>Member</u>	<u>Honorarium</u>
Ford, H. W.	2,100.00
Rocchi, F.	2,600.00
Skofac, M.	2,100.00
Woods, L. G.	2,100.00
Young, C.	2,100.00
	<u>11,000.00</u>

(c) Licence Examining Board

<u>Member</u>	<u>Honorarium</u>
Allaby, D.	100.00
Allick B. D.	750.00
Armstrong, D.	100.00
Bradshaw, R. H.	750.00
Duffie, R.	100.00
Greenall, E.	100.00
Harvie, W.	100.00
Hewitt, C.	750.00
Hooker, G.	750.00
Korz, G.	750.00
Langdon, D.	750.00
MacLeod, D.	750.00
McGurk, A.	750.00
McManus, G.	750.00
McNally, J.	100.00
Peacock, H.	750.00
Saunders, E.	750.00
Walker, J.	750.00
	<u>9,600.00</u>

2. Expenses:

(Residence Telephone Allowance, Travelling - Per Diem,
Accommodation, etc., plus "Local Grant" to Mayor)

<u>(a) Member of Council</u>	<u>Amount</u>
Agro, V. J.	1,688.00
Bethune, J. A.	2,065.03
Charlton, B. A.	10.70
Collins, S. J.	10.70
Cowell, P. R.	123.69
Davidson, M. N.	10.70
Drage, P. W.	718.89
Edge, K. M.	1,373.49

Gray, D. B.	123.69
Hinkley, B. K.	729.59
Kiss, M. A.	10.70
Lawrence, D.	112.99
Lombardo, F. A.	2,047.23
MacDonald, J.	786.49
McCulloch, W. M.	2,875.96
Merling, H.	123.69
Morrow, R. M. (Bell Telephone \$10.70, Local Grant \$333.37, Travel \$200.90)	544.97
Murray, T.	10.70
Peterson P. J.	1,493.18
Powell, W. (Bell Telephone \$112.99, Travel \$1,117.57, Local Grant \$3,666.63)	4,897.19
Scott, V. J.	10.70
Stout, G. I.	123.69
Valeriano, P. O.	1,943.06
Wheeler, R.	112.99
	<u>21,948.02</u>

(b) Parking Authority Appointees

Furness, G. L.	<u>1,290.25</u>
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(c) Public Library Appointees

Meiklejohn, A.	268.64
Isbester, J.	<u>46.88</u>
	315.52

(d) Hamilton Place Appointees

Cino, S. M.	<u>301.82</u>
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(e) Committee of Adjustment

Skofac, M.	556.35
Woods, L. G.	<u>497.50</u>
	1,053.85

9. That a 1983 grant of up to \$12,000.00 be approved for the 91st Highlanders Athletic Association and that the Secretary of the Finance Committee be authorized to pay this grant prior to formal approval of the 1983 estimates for the City of Hamilton.

NOTE: For the information of the Members of City Council the Finance Committee advises, that this approval is being requested to allow arrangements for this event, which takes place Saturday, February 19th, 1983, to be finalized.

10. That with the cooperation of the Standing Committees, Local Boards and the Departments of the City of Hamilton, a 1983 Budget be established with a '0' increase in the municipal mill rate for residential and non-residential purposes.

11. That leave be granted to introduce the following bill:

Bill No. C-6

A By-law to Authorize a Transfer of Unexpended Debenture Proceeds.

Respectfully submitted,

**ALDERMAN P. J. PETERSON, CHAIRMAN
FINANCE COMMITTEE**

J. J. Schatz, Secretary
February 3rd, 1983
attchm.

City of Hamilton
Treasury

LIST OF REQUESTS FOR OVERDRAFT APPROVALS WITHIN THE 1982 CURRENT BUDGET

Department (1)	Account Number (2)	Description (3)	Appropriation (4)	Overdraft Amount per Statement (5)	Increase in Appropriation Required (6)	Request Transfer from Account Number (7)	Overdraft Approval (8)
Legislative	0321-0193	Memberships and Subscriptions	17,380	2,210			2,210
	0321-0225	Gasoline	4,000	1,400			1,400
City Clerk	0322-0112	Advertising and Publicity	36,500	15,740			15,740
	0322-0116	Postage	15,600	8,380			8,380
	0322-0541	Sales Tax on Printing and Supplies	20,000	5,000			5,000
Treasury	0323-0216	Postage	10,350	1,610			1,610
	0323-1471	Office Equipment	2,980	1,500	1,500	0323-1483	
	0323-1594	Training Courses and Systems Studies	6,000	2,300	2,300	0323-1494	
Legal	0325-0155	Disbursements Re: Hearings, etc.	26,000	4,770			4,770
Property & Maintenance	0328-0219	Contractual Services-City Hall	40,070	8,670			8,670
Co-ordinator -Jackson Square	0333-0156	Consultant Fees	45,000	35,290			35,290
Community Development	0334-0119	Hydro Inspection	2,000	3,020			3,020
Traffic	0345-0127	Uniforms, Clothing and Accessories	8,440	1,620			1,620
	0345-0141	Sales Tax on Manufacturing	13,440	9,790			9,790
	0345-0181	Rental - Carpool	14,500	2,000			2,000
	0345-6027	Uniforms, Clothing and Accessories	5,100	1,120			1,120
Public Works	0350-0127	Uniforms, Clothing and Accessories	94,000	5,100			5,100
Engineering	0351-2019	Contractual Services (Street Lighting)	1,950,650	40,150			40,150
Culture & Recreation	0367-0587	Rental - Other Facilities	130,000	5,450			5,450
	0367-2429	Pool Operating Charges	50,980	3,050			3,050
Unclassified	0378-27xx	Various	55,000	23,000			23,000
TOTAL							177,370

Schedule "A", as referred to in
item 6 of the Fourth Report of
the Finance Committee.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FOURTH** Report for 1983 and respectfully recommends:

1. That **Zoning Application 82-54, Herman Turkstra, owner**, requesting a modification to the established "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations applicable to the property at Nos. 13 to 21 Bold Street, as shown on the attached Plan marked as APPENDIX "A" be approved on the following basis:

- (a) That the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations applicable to the subject lands be modified as follows:
 - (i) That notwithstanding the provisions of Section 11A(1) of By-law 6593, as amended by By-law 80-219, the following uses shall be permitted within the basement of the existing building:
 - (A) All commercial uses permitted under Section 11A(1)(iii) of By-law 6593, including a retail bookstore, subject to the requirements of subclauses (a), (c), (e), (f) and (g) of Section 11A(1)(iii).
- (b) That the amending by-law be added to Section 19(b) of Zoning By-law 6593 as Schedule S-719a and that the subject lands on Zoning District Map W-5 be notated S-719a.
- (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map W-5, and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The by-law will provide for a modification to the established "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District to:

- (i) permit "E-1" commercial uses in the basement of the existing building at Nos. 13 to 21 Bold Street;
 - (ii) add a retail bookstore as a permitted commercial use at these premises.
2. That approval be given to **Zoning Application 82-57, Hans J. Rerup and Lydia Doering, owners**, requesting a modification to the established "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District regulations applicable to

the property at Nos. 22 to 24 Homewood Avenue, as shown on the attached plan marked as APPENDIX "B" on the following basis:

- (a) That the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District regulations applicable to the subject lands be modified as follows:
 - (i) That notwithstanding the provisions of Sections 10(1) and 19(vii) of By-law 6593, the existing building may be used as a four-family dwelling.
- (b) That the amending by-law be added to Section 19(b) of Zoning By-law 6593, as Schedule S-812, and that the subject land on Zoning District Map W-14 be notated S-812.
- (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map W-14, and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The by-law will provide for a modification to the established "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to permit the continuance of a converted four-dwelling residential structure at Nos. 22 to 24 Homewood Avenue.

- 3. That the draft approvals of **Rexford Heights (Phase 2)**, Regional File 25T-77033; **Rexford Gardens (Phase 2)**, Regional File 25T-77034 and **Rexford Survey**, Regional File 25T-77035, be recommended for a one year extension to the Region. The plans are located in the area east of Upper Sherman Avenue, west of Upper Gage Avenue, and south of the proposed east-west transportation facility.
- 4. That the City Solicitor be authorized and directed to prepare a by-law to amend the fee schedules in by-laws 76-119, 75-55 and 74-74 to reflect an average increase of 6 percent in all fees, as shown on the attached schedules marked as APPENDICES "C", "D" and "E".
- 5. That the City Solicitor be authorized to prepare a by-law for the demolition of the building and clearing the lands at **Municipal No. 564 Woodward Avenue** pursuant to Subsection 21 of Section 43 of The Planning Act, R.S.O., 1980, Chapter 379, formerly Section 36 of The Planning Act.
- 6. (a) That the Agreement by Owner and Tenant to Accept Compensation regarding the **expropriation of 54-64 York Street** required for the Lloyd D. Jackson Square Development in the amount of \$142,446.70 be completed.

(b) That the Agreement by Owner to Accept Compensation regarding the **expropriation of 66-72 York Street** required for the Lloyd D. Jackson Square Development in the amount of \$75,290.00 be completed.
- 7. That the City sell a vacant parcel of land bearing **Municipal number 46 Ferrie Street West** with a frontage of 30 feet (9.14 m) by a depth of 50 feet (15.45 m) to Giuseppe Italiano in the total sum of \$2,500.00. This property is a scattered site purchased

through the North End Urban Renewal Programme. A deposit cheque in the amount of \$250.00 is being held by the City Treasurer pending approval by City Council. The closing of this transaction is subject to the approval of the North End Coordinating Committee and the Minister of Housing. It is understood and agreed that the vendor, upon completion of this transaction, will pay a commission of \$100 to Ralph Musitano, the agent, who acted on this matter.

8. That the following list of applicants be submitted to City Council for approval authorizing the Department of Community Development to process loans in an amount not to exceed \$7,500.00. The actual amount of loan to be determined by inspection of the property under The Property Standards By-law 74-74 and pursuant to By-law 78-113. (Hamilton Rehabilitation Programme).

That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Hamilton Rehabilitation Programme.

W. Haves
68 West 25th Street

9. That the following list of applicants be submitted to City Council for approval, authorizing the Department of Community Development to process grants and/or loans in an amount not to exceed \$7,500.00. The actual amount of grant or loan to be determined by inspection of the property under The Property Standards By-law 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under The Housing Development Act. (Ontario Home Renewal Programme).

That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme.

M. Laurentani
73 Crooks Avenue

F. Goulder
174 Dumbarton Avenue

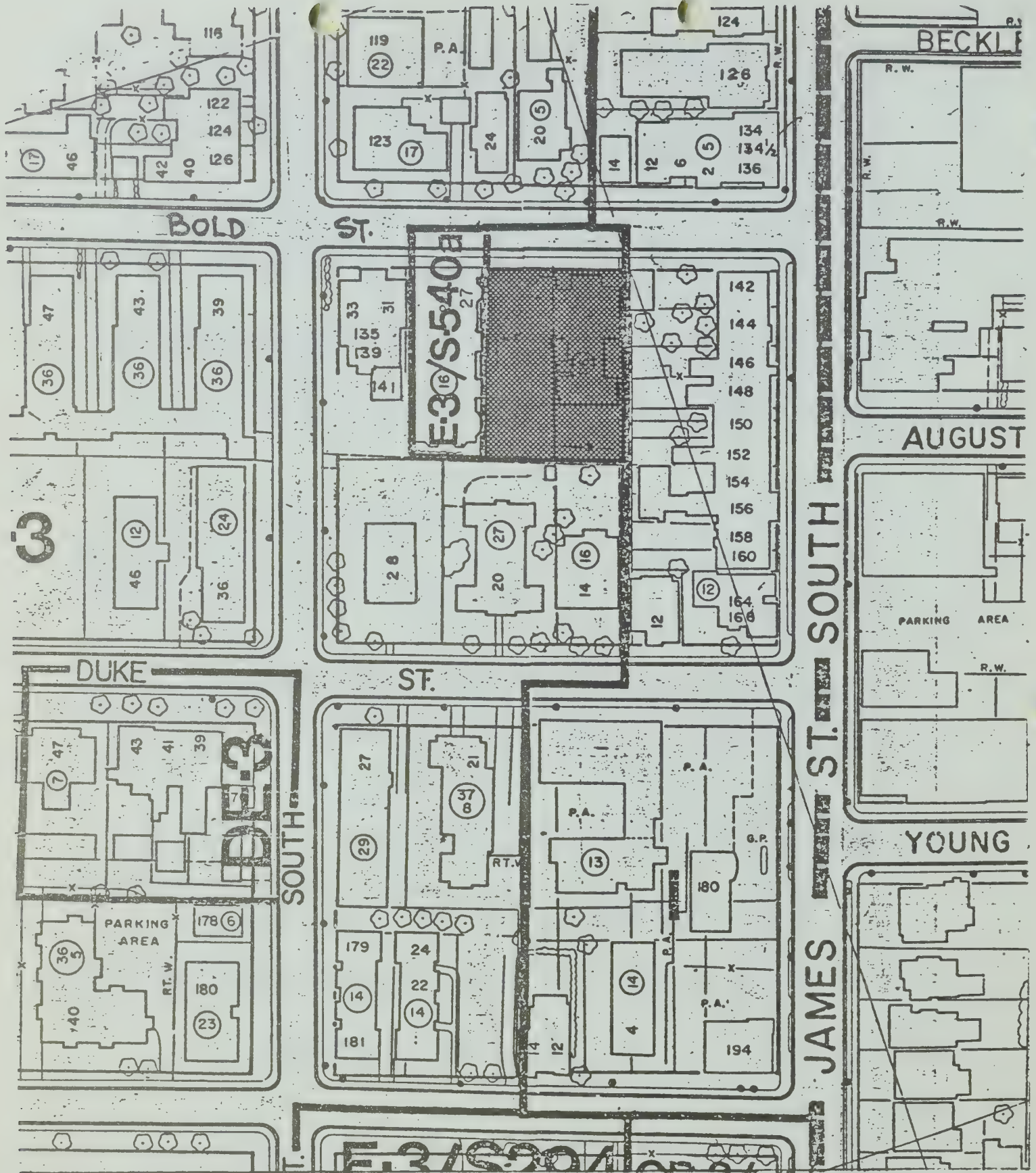
10. That leave be granted to introduce the following Bills:-

- (a) Bill D-26 - By-law to Amend Zoning By-law No. 6593 respecting lands located in the area north of Queenston Road (Highway No. 8) and to the west of Gray's Road
- (b) Bill D-27 - By-law to Amend Zoning By-law No. 82-53 respecting land located at Municipal No. 337 Stone Church Road East

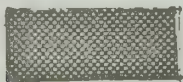
Respectfully submitted

JDT:bg
January 26, 1983

Alderman W. M. McCulloch
Chairman



APPENDIX "A"

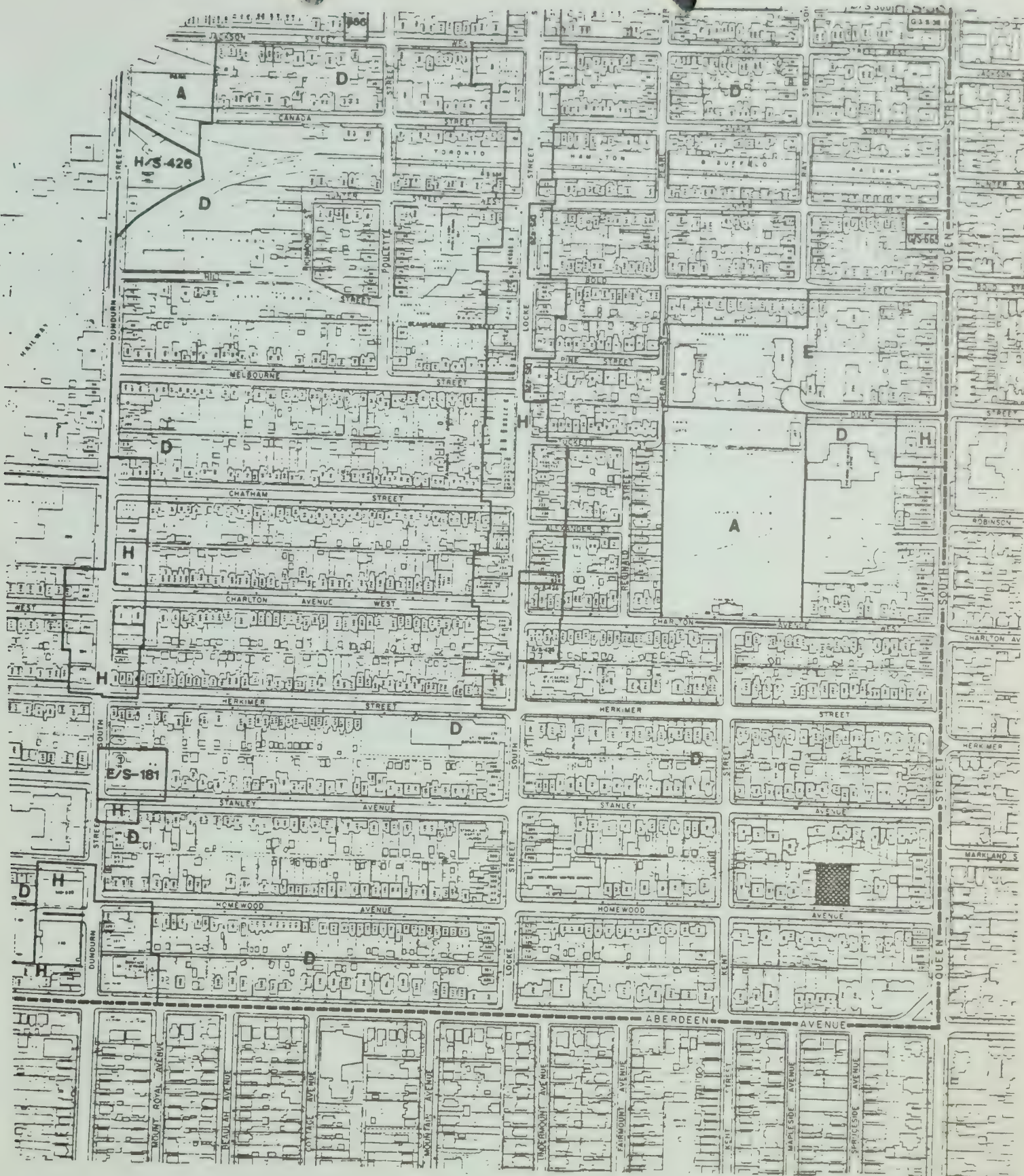


Change in zoning from "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District to "H" (Community Shopping and Commercial, etc.) District.

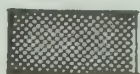
LEGEND

D-4

APPENDIX "A"



APPENDIX "B"



LEGEND
SITE OF THE APPLICATION

APPENDIX "B"



2A82-57

W-14

SCHEDULE A
By-law No. 76-119
FEES

CLASS OF PERMIT	EXISTING FEE	PROPOSED
(a) Where the cost or valuation of the construction is \$100 or less	NO FEE	NO FEE
(b) Where the cost or valuation of the construction is greater than \$100 but less than \$500	\$8.00	\$9.00
(c) Where the cost or valuation of the construction is greater than \$500	\$8 plus \$8 for each \$1,000 or part thereof, up to and including \$15,000,000 <u>plus</u> \$4 per \$1,000 or part thereof for that portion above \$15,000,000, up to and including \$45,000,000 <u>plus</u> \$2 per \$1,000 or part thereof for that portion above \$45,000,000	\$9.00 and \$9.00 No Change No Change
Permit for the demolition of a building	\$20 for each 3,000 m ³ of demolition or part thereof	\$21.00
Permit to authorize the occupancy of a building or part thereof, prior to completion:		
(a) first inspection	NIL	NIL
(b) each inspection after the first inspection	\$25.00	\$27.00

SCHEDULE A
Part 2 - Administration
By-law 75-55
respecting

	EXISTING FEE	PROPOSED
Fees for construction as per By-law 76-119		
Where the application is for a Zoning Verification Certificate under the Zoning By-law in respect of one and two family residential occupancies, a fee shall be paid in the amount of	\$15.00	\$16.00
Where the application is for a Certification other than that referred to in paragraph B above, a fee shall be paid in the amount of	\$20.00	\$21.00
Where the application is for a Report respecting work in pro- gress or compliance with the Building By-law or Zoning By-law	\$25.00	\$27.00
Hard copies of documents - 8 1/2" x 11"	\$1.00	No Change

BY-LAW 74-74

Section 34(b) amended as follows:
(Certificate of Compliance)

	EXISTING	PROPOSED
When the gross floor area is not in excess of 10,000 square feet	\$10 per 1,000 square feet	\$11 per 1,000 square feet
When the gross floor area is in excess of 10,000 square feet	\$2 per 1,000 square feet	Same

Section 34(4) amended as follows:

Minimun fee for single family dwelling	\$50	\$55
Minimun fee for any other building	\$100	\$105

REPORT OF THE LEGISLATION COMMITTEE,

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its **SIXTH** Report for 1983 and respectfully recommends:

1. That **no action** be taken on the following resolution from the Regional Municipality of Niagara:

"That during this period of economic recession, the Ministry of the Environment be requested to defer the implementation of the following environmental programs:

- (i) Environmental Assessment Regulations;
- (ii) More stringent regulations for phosphate removal;
- (iii) Additional treatment of water plant backwash wastes.

That this resolution be circulated to all Regions and major municipalities in Ontario, for support."

Explanatory Note - The Transport and Environment Committee received the resolution from the Regional Municipality of Niagara and recommended to the Legislation Committee that the resolution be endorsed by City Council.

2. That the Minister of Municipal Affairs and Housing be requested to amend the Municipal Act in order to give municipalities the power to pass by-laws to provide that no person under the age of sixteen years may enter or remain in an amusement arcade, or any part thereof, containing coin-operated machines, unless accompanied by a parent or guardian.
3. That one additional citizen member be appointed to the Management Committee of the Canadian Football Hall of Fame and Museum, and that the City Clerk be authorized and directed to place an advertisement in the local newspaper inviting applications for the position.
4. That the Max Rotman Humanitarian Youth Award be permitted to hold its Awards Ceremony in the City Hall Council Chambers on the evening of April 13, 1983.
5. That City Council support the letter from the City of Windsor dated January 13, 1983, to the Honourable Marc Lalonde, Minister of Finance, requesting an extension of the \$3,000.00 Grant for first time home buyers to include 1983, especially for first time buyers of re-sale homes.

6. Approval of the recommendations of the Tax Appeal Review Committee for the tax adjustments on compassionate grounds in the total amount of \$3,398.08, as set out in Schedule "A" attached hereto.
7. That leave be granted to introduce the following Bills:-
 - (a) Bill E-5 - By-law respecting Access to the meetings of the Boards of Directors and meetings of the Hamilton Performing Arts Corporation, Inc. and the Hamilton Place Convention Centre, Inc.
 - (b) Bill E-7 - By-law to confirm proceedings of the Council of the Corporation of the City of Hamilton

Respectfully submitted

JDT:bg
February 1, 1983

Alderman V. J. Agro, Chairman
Legislation Committee

SITTING NUMBER 14

COMPASSIONATE

LEGISLATION COMMITTEE

ITEM NO.	TAX COLLECTOR'S ROLL NUMBER	APPLICATION NUMBER	NAME OF APPELLANT	PROPERTY	REASON FOR APPEAL	COMMITTEE'S RECOMMENDATION FOR 1982 TAX LIABILITY
1	040 3210 7130	109	ROBERT GENE POTTS	19 BENSON AVE.	COMPASSIONATE GROUNDS	Appeal Allowed. Reduce 1982 Realty Taxes by \$596.26.
2	050 3820 3220	110	DOLLY WINDERS	117 TOLTON AVE.	"	Appeal Allowed. Reduce 1982 Realty Taxes by \$729.24
3	040 3355 2110	111	PAULINE DAIK	319 WEIR ST. N.	"	Postponed until March 17 Court
4	030 2650 4700	112	ANTONIO AND AIDA COSTA	35 ROSEMONT AVE	"	Appeal Allowed. Reduce 1982 Realty Taxes by \$424.48.
5	030 2650 4640	113	FRANCISZEK AND MARIA BAK	43 ROSEMONT AVE	"	Appeal Allowed. Reduce 1982 Realty Taxes by \$360.46.
6	030 2650 0070	114	PERLINA RICCI	8 SOMERSET AVE.	"	Postponed until March 17 Court
						\$ 2,110.44
						\$ 2,110.44

SCHEDULE A

ITEM NO.	TAX COLLECTOR'S ROLL NUMBER	APPLICATION NUMBER	NAME OF APPELLANT	PROPERTY	REASON FOR APPEAL	COMMITTEE'S RECOMMENDATION FOR 1982 TAX LIABILITY
1	030 2350 0970	115	BEVERLY MARY ALKERTON	111 GIBSON AVE.	COMPASSIONATE GROUNDS	Appeal Allowed. Reduce 1982 Realty Taxes by \$737.64.
2	030 2165 2860	116	JAMES McCULLOGH	339 EMERALD N.	"	Appeal Allowed. Reduce 1982 Realty Taxes by \$250.00.
3	020 1435 6690	117	ROSA IOPILATO	130 AUGUSTA ST.	"	Appeal Allowed. Reduce 1982 Realty Taxes by \$100.00.
4	020 1225 8910	118	JOHN CHARLES YOUNG	26 PETER STREET	"	Appeal Not Allowed. No 1982 Realty Tax Reduction.
5	020 1660 5510	119	BOZIDAR AND KATHLEEN SIMIC	501 MARY STREET	"	Appeal Allowed. Reduce 1982 Realty Taxes by \$200.00.
						<u>\$ 1,287.64</u>
						<u>\$ 1,287.64</u>
						Grand Total: \$3,398.08

REPORT OF THE PERSONNEL COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its **THIRD** Report for 1983 and respectfully recommends:-

1. Approval of the Appointments and Terminations in permanent and temporary service with The Corporation to January 26, 1983, as set out on the list appended hereto.
2. That a 5 percent wage increase, effective January 3, 1983, be approved for Hamilton Place part-time employees.

RESPECTFULLY SUBMITTED,

ALDERMAN P. COWELL,
CHAIRMAN

K. E. Avery, Secretary,
January 26, 1983

**THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN PERMANENT SERVICE**

REFERRED TO IN SECTION 1 OF THE THIRD
REPORT OF THE PERSONNEL COMMITTEE.

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Alfred Adams	By-law Enforcement Supervisor	Traffic	reclassification as approved by Council - Dec. 14/82	112	\$23,291.32 per annum	Oct. 4/82
Miss Laurel Barker	Junior Cost Control Clerk	Central Garage Division of Public Works	replacement for Mrs. Carol Dans - resigned	A-3	\$326.69 per week	Jan. 3/83
Mr. John Fitzpatrick	Assistant Deputy Chief	Fire	replacement for Mr. W. Gill - retired	C-12	\$41,147.32 per annum	Jan. 1/83
Mr. Thomas Furlong	Maintenance Foreman (Cemeteries)	Cemetery Division of Public Works	replacement for Edward Campbell - retired	12C	\$22,251.84 per annum	Dec. 20/82
Mr. Douglas Goodman	Assistant Supervisor of Taxation - Business	Treasury	reclassification as approved by Council - Dec. 14/82	115	\$28,962.96 per annum	Jan. 1/83
Mr. Joe Machida	Principle Accounting Clerk - Receipts	Treasury	transferred	115	\$30,266.60 per annum	Dec. 14/82
Mr. Augustino Maniaci	Lead Hand (Cemetery)	Cemetery Division of Public Works	replacement for Marvin Perry - resigned	D-8A	\$9,480 per hour	Jan. 3/83
Mr. Stephen Morelli	Lieutenant	Fire	replacement for Norman MacPherson - promoted	C-7	\$32,220.43 per annum	Jan. 1/83
Mr. Clive Ottaway	Assistant Supervisor of Taxation - Realty	Treasury	transferred	115	\$30,266.60 per annum	Dec. 14/82

January 26, 1983

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN PERMANENT SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. William Robertson	By-law Enforcement Supervisor	Traffic	reclassification as approved by Council - Dec. 14/82	112	\$23,291.32 per annum	Oct. 4/82
Mr. Walter Romachyk	Storeskeeper	Fire	replacement for Alexander Kirkham - retired	C-5A	\$29,782.89 per annum	Jan. 4/83
Mr. Richard Seager	Principle Accounting Clerk - Payments	Treasury	transferred	115	\$31,259.80 per annum	Dec. 14/82

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Joseph Brugnano	Draftsman I	City Engineer's	transferred to Region	23 years & 1 month	Dec. 31/82
Mr. Gary Cobbett	Rodman	City Engineer's	transferred to Region	8 years & 5 months	Dec. 31/82
Mrs. Carol Dans	Junior Cost Control Clerk	Central Garage Division of Public Works	resignation	12 years & 6 months	Dec. 31/82
Mrs. MaryJane Delottinville	Chief Steward	Convention Centre	resignation	1 year & 8 months	Dec. 31/82
Mr. Francesco Gatto	Concrete Finisher/Labourer	Public Works	retirement	10 years & 8 months	Jan. 31/83
Mr. William Haves	Journeyman Painter	Property Mtce. Division of Real Estate	termination	20 years & 9 months	Dec. 31/82
Mr. William McMullen	Survey Technologist	City Engineer's	transferred to Region	2 years & 7 months	Dec. 31/82
Mrs. Lynda Parker	Cashier	Treasury	resignation	7 years & 4 months	Dec. 31/82
Mr. Donald Simms	Survey Technologist	City Engineer's	transferred to Region	18 years & 2 months	Dec. 31/82
Mr. Harvey Smith	O.L.S. Supervisor of Legal Surveys	City Engineer's	transferred to Region	11 years & 5 months	Dec. 31/82
Mr. Jack Wooldridge	Caretaker	Property Mtce. Division of Real Estate	retirement	12 years & 11 months	Jan. 31/83

January 26, 1983

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Mark Albrich	Microfilm Technician I (temporary)	Treasury	replacement for Gayle Hampson - on maternity leave	E-2	\$254.56 per week	Jan. 12/83
Mr. Steven Begley	Monitor (temporary)	Culture and Recreation	seasonal staff	n/a	\$3.500 per hour	Dec. 20/82
Mr. Robert Cass	Accounting Student (M.B.A. Co-op Program) (temporary)	Treasury	replacement for Miss Shirley Blayney - terminated	n/a	\$334.43 per week	Jan. 4/83
Mr. William Elliot	Chief Monitor (temporary)	Culture and Recreation	seasonal staff	n/a	\$4.000 per hour	Dec. 20/82
Mrs. Jane Graham	Stenographer I (temporary)	Treasury	replacement for Ann Error - on maternity leave	E-5	\$349.69 per week	Dec. 20/82
Miss Linda Gubbins	General Assistant	Dundurn Castle Division of Culture and Recreation	replacement for Laurel Gugler - promoted	n/a	\$4.29 per hour	Jan. 7/83
Mrs. Ruth Langtry	Fitness Instructor (temp./part-time)	Culture and Recreation	replacement for Jean McDavid - resigned	n/a	\$7.500 per hour	Dec. 13/82
Miss Jacquelyn Settle	Taxation Clerk IV (temporary)	Treasury	replacement for Rose, Calcagni - on maternity leave	E-4	\$301.18 per week	Jan. 3/83
Mr. Ross Sommers	Traffic Serviceman II (temporary)	Traffic	replacement for Darlene Henwood - off sick	A-3X	\$344.99 per week	Dec. 20/82

January 26, 1983

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Robert Cave	Cashier (temporary)	Culture and Recreation	seasonal staff	n/a	\$3.750 per hour	Dec. 20/82
Mrs. Joanne Leroux	Cashier (temp./part-time)	Culture and Recreation	seasonal staff	n/a	\$3.750 per hour	Jan. 22/83
Mrs. Elizabeth Murray	Cashier (temp./part-time)	Culture and Recreation	seasonal staff	n/a	\$3.750 per hour	Dec. 22/82
Miss Susan Nuttall	Cashier (temporary)	Culture and Recreation	seasonal staff	n/a	\$3.750 per hour	Dec. 20/82
Miss Linda Rembe	Cashier (temporary)	Culture and Recreation	seasonal staff	n/a	\$3.750 per hour	Dec. 20/82
Ms. Pamela Colthart	Checker (temp./part-time)	Culture and Recreation	seasonal staff	n/a	\$3.500 per hour	Dec. 22/82
Mr. Pasquale Delsordo	Checker (temp./part-time)	Culture and Recreation	seasonal staff	n/a	\$3.500 per hour	Jan. 7/83
Mr. Pasquale Delsordo	Checker (temp./part-time)	Culture and Recreation	seasonal staff	n/a	\$3.500 per hour	Jan. 22/83
Mr. James Leach	Checker (temp./part-time)	Culture and Recreation	seasonal staff	n/a	\$3.500 per hour	Jan. 5/83
Mr. Raymond Maxwell	Checker (temp./part-time)	Culture and Recreation	seasonal staff	n/a	\$3.500* per hour	Jan. 22/83
Ms. Maria Troisi	Checker (temp./part-time)	Culture and Recreation	seasonal staff	n/a	\$3.500 per hour	Dec. 22/82

January 26, 1983

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Luigi Cialini	Rink Attendant (temporary)	Culture and Recreation	seasonal staff (permanent employee doing temporary job)	D-5	\$9.300 per hour	Dec. 22/82
Mr. Peter Shirreffs	Rink Attendant (temporary)	Culture and Recreation	seasonal staff (permanent employee doing temporary job)	D-5	\$9.300 per hour	Dec. 22/82
Mr. Marco Traficante	Rink Attendant (temporary)	Culture and Recreation	seasonal staff	D-4A	\$9.130 per hour	Dec. 22/82
Mr. William Whyte	Rink Attendant (temporary)	Culture and Recreation	replacement for Russell Webb - transferred	D-4A	\$9.130 per hour	Dec. 22/82
Mr. John Willard	Rink Attendant (temporary)	Culture and Recreation	replacement for Gary Woodworth - resigned	D-5	\$9.300 per hour	Jan. 11/83
Mr. Gary Woodworth	Rink Attendant (temporary)	Culture and Recreation	seasonal staff	D-4A	\$9.130 per hour	Dec. 28/82

January 26, 1983

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Geoffrey Alleyne	Cashier (temp./part-time)	Culture and Recreation	resignation	2 years & 2 months	Dec. 28/82
Miss Magdalena Arciszewski	Red Cross Instructor (temp./part-time)	Culture and Recreation	resignation	3 1/2 months	Dec. 31/82
Miss Shirley Blayney	Accounting Student (M.B.A. Co-op Program) (temporary)	Treasury	termination	4 months	Dec. 23/82
Miss Enza Bonanno	Historical Interpreter (temp./part-time)	Dundurn Castle Division of Culture and Recreation	termination	3 weeks	Dec. 31/82
Mr. Donald Bradfield	Caretaker (temporary)	Property Mtce. Division of Real Estate	termination	8 months	Dec. 31/82
Miss Winsome Cain	Project Worker (Canada Community Development Program) (temporary)	Treasury	termination	3 months	Dec. 24/82
Miss Judy Costley	Shop Clerk (temp./part-time)	Dundurn Castle Division of Culture and Recreation	termination	2 months	Aug. 16/82
Mr. Dalton Drew	Electrical Engineer (temporary)	City Engineer's	retirement (temporary extension is now over)	6 years & 10 months (temporary service)	Jan. 7/83
Mr. John Drieman	Project Worker (Canada Community Development Program) (temporary)	Treasury	termination	3 months	Dec. 24/82

January 26, 1983

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Miss Martha Duarte	Typist Clerk II (temporary)	Purchasing Division of Treasury	termination	1 1/2 months	Dec. 31/82
Mr. Mark Inrig	Rodman (temporary)	City Engineer's	transferred to Region	4 months	Dec. 31/82
Miss Karen MacLeod	Project Manager (Canada Community Development Program) (temporary)	Treasury	termination	3 months	Dec. 24/82
Miss Lynn Scandlan	Shop Clerk (temp./part-time)	Dundurn Castle Division of Culture and Recreation	termination	3 months	Sept. 25/82
Mr. Gary Woodworth	Rink Attendant (temporary)	Culture and Recreation	resignation	3 days	Dec. 30/82

January 26, 1983

REPORT OF THE NOMINATING COMMITTEE
TO RECOMMEND APPOINTMENTS TO VARIOUS BOARDS AND COMMITTEES

To the Council of The Corporation of the City of Hamilton.

Members of Council:-

The Nominating Committee presents its FOURTH Report and respectfully recommends the following appointments:-

1. LICENCING COMMITTEE

Term of Office

3 years

2. That sub-section (b) of Section 2 of the First Report of the Nominating Committee, adopted by City Council December 1, 1982, respecting the appointment of Alderman V. J. Agro to the Board of Directors of the Hamilton Philharmonic Society be rescinded.

NOTE: By letter dated January 3, 1983, the Hamilton Philharmonic Society Inc. has advised that By-laws, Article No. 3, of the Society provides that two councillors of the Regional Council will form part of the Management Board of the Society and there is no representation by the City of Hamilton on this Board.

RESPECTFULLY SUBMITTED,

ROBERT M. MORROW, CHAIRMAN.

February 8, 1983.

FEB 4 1983

Orb / Mun Agenda
Bulletin Board

Bill No. A-11

By-law No. 83 -

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 26 (No Parking Areas) of By-law 66-100 To Regulate Traffic passed on the 29th day of March 1966, is hereby amended by adding to Section A (No Parking Anytime) the following item, namely:-

"Justine North King to Rosslyn".

2. Schedule 26A (No Parking Areas) is hereby amended by deleting from Section C (No Parking 8:30 A.M. to 5:00 P.M.) the following item, namely:-

"Forest South From 84 ft. east of Ferguson to 65 ft. easterly".

3. Schedule 27A (Alternate Side Parking) is hereby amended by adding thereto the following item, namely:-

"Emerald West East
Stinson to Southerly End

East West East
Stinson to Southerly End

Hillside Avenue East West
Lawrence to Glendee

Arlington West East
Lawrence to Glendee".

4. Section 34 (Sticker Permit Parking) is hereby amended by adding thereto the following item, namely:-

"Caroline Both Cannon to the Central
Neighbourhood Park".

PASSED this day of , A.D. 1983.

City Clerk

Mayor

(1983) 4 R.T.E.C., February 8

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED IN THE AREA NORTH OF QUEENSTON ROAD (HIGHWAY NO. 8)
AND TO THE WEST OF GRAY'S ROAD

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets Nos. E-124 and E-125 of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "AA" (Agricultural) district to "G-3" (Public Parking Lots) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "G-3" (Public Parking Lots) district provisions applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) section 13C(2) of By-law No. 6593 shall not apply;
- (b) a planting strip having a width of not less than 1.5 metres shall be provided and maintained along the northerly, easterly and westerly lot lines of the parking lot.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G-3" District provisions, as varied by the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-809".

5. Sheets Nos. E-124 and E-125 of the District Maps are amended by marking the lands referred to in section 1 of this by-law, "S-809".

6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

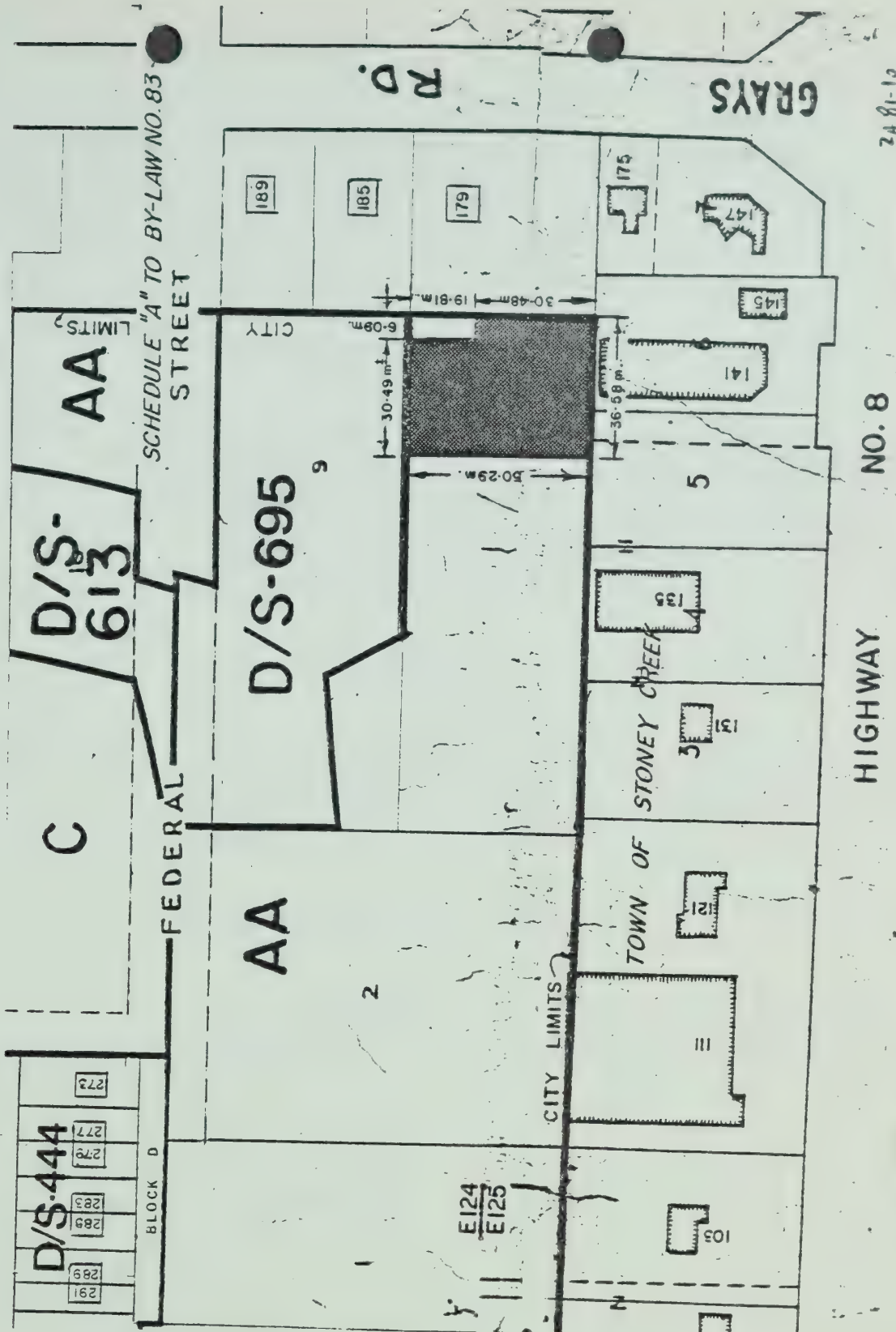
7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 2 R.P.D.C. 4, January 11
Ted Paul, Owner
ZA-81-10



This is Schedule 'A' to By-law No. 83- passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 82-53

Respecting:

LAND LOCATED AT MUNICIPAL NO. 337 STONE CHURCH ROAD EAST

WHEREAS By-law No. 82-53, passed on the 9th day of March, 1982 and approved by the Ontario Municipal Board on the 13th day of July, 1982, rezoned the aforesaid land from "AA" (Agricultural) district and "C" (Urban Protected Residential, etc.) district to "DE" (Low Density Multiple Dwellings) district and restricted the use of the premises to the single family dwelling existing at the date of the passing of By-law No. 82-53, a home for elderly persons and a nursing home;

AND WHEREAS the land rezoned and dimensions thereof were shown on Schedule "A" to the said by-law;

AND WHEREAS Item 1 of the 1st Report of the Planning and Development Committee, adopted by City Council on December 14, 1982, requires that the said Schedule "A" be replaced with a revised Schedule "A", based on a survey, because of discrepancies in dimensions of the Schedule "A" attached to the said by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

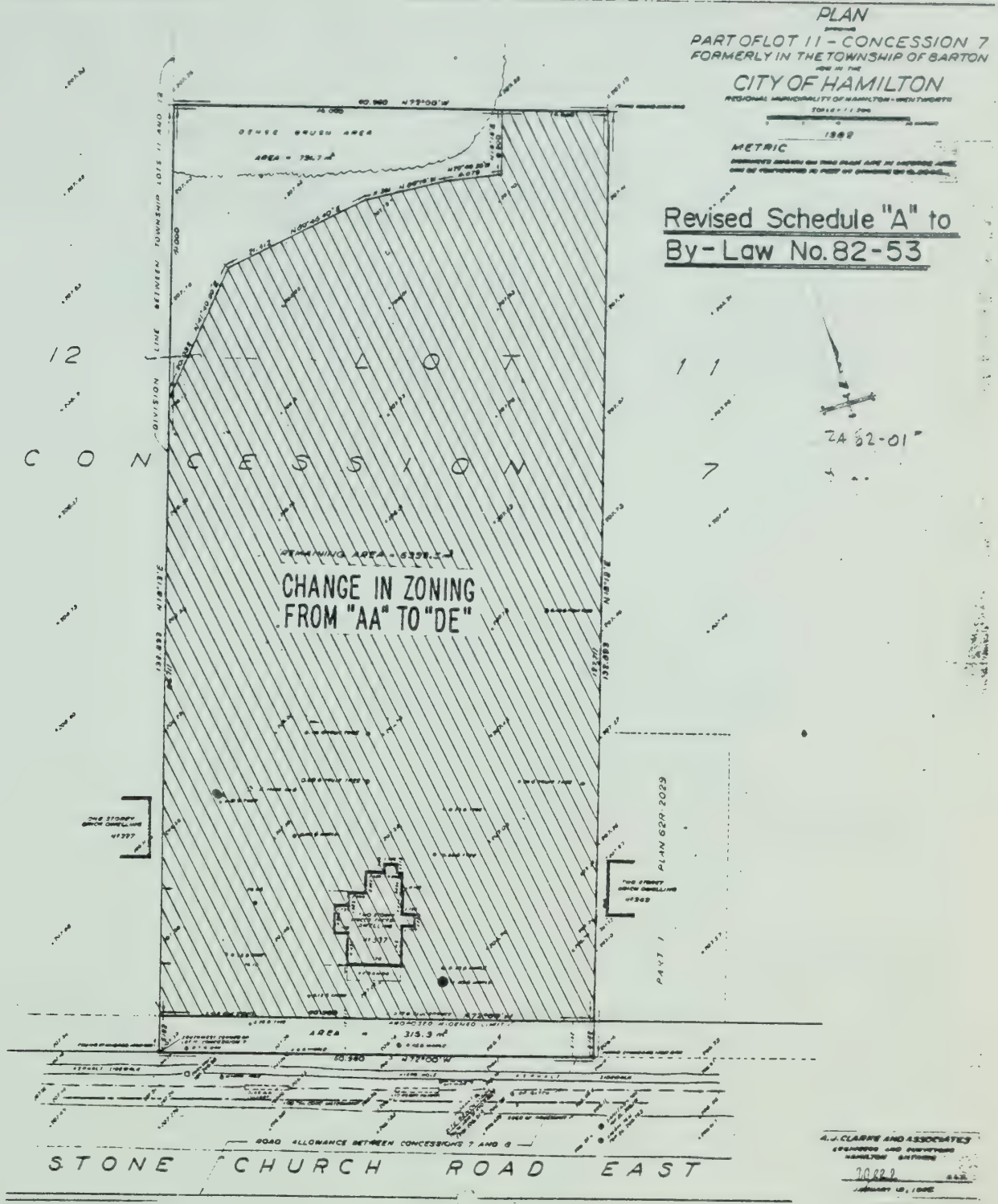
1. Schedule "A" to By-law No. 82-53 is deleted and Schedule "A" annexed hereto and forming part of this by-law is substituted in lieu thereof as "Revised Schedule "A" to By-law No. 82-53".

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1982) 1 R.P.D.C. 1, December 14



Bill No. D-27

This is Schedule "A" to By-law No. passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

By-law No. 82-203

Respecting:

ACCESS TO THE MEETINGS OF THE BOARDS OF DIRECTORS
AND MEETINGS OF THE HAMILTON PERFORMING ARTS CORPORATION, INC.
AND THE HAMILTON PLACE CONVENTION CENTRE, INC.

WHEREAS The City of Hamilton Act, 1982 provides that the meetings of the boards of directors and meetings of The Hamilton Performing Arts Corporation, Inc. and The Hamilton Place Convention Centre, Inc. shall be open to the public except where the council of the city by by-law, authorizes meetings to be held in camera in respect of certain matters hereinafter referred to and as it may determine;

AND WHEREAS it is intended to give effect to the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. In this by-law,
 - (a) "council" means the council of the City of Hamilton;
 - (b) "local board" means the boards of directors of The Hamilton Performing Arts Corporation, Inc., and The Hamilton Place Convention Centre, Inc.
2. (1) The meetings of a local board shall be open to the public and no person shall be excluded from a meeting except,
 - (a) a local board may hold its meetings in camera for any of the following matters proposed for or under consideration:
 1. Personnel matters, including matters relating to wages, salaries, benefits.
 2. Discipline, unless the individual affected requests that the meeting be open to the public.
 3. Collective bargaining.
 4. Litigation or communication respecting solicitor-client relationships including legal opinions and advice.
 5. Proposed or actual contracts with producers or promoters of exhibitions, shows or attractions.
 - (b) for improper conduct as determined by the board.

(2) Notwithstanding that any of the matters enumerated in clause (a) of subsection 1 are proposed for or are under consideration in camera by a local board, council may decide by a majority vote of all members that one or more meetings of the local board respecting any of the matters shall not be held in camera.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 4 R.L.C. 3, January 25

BY-LAW NO. 83 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF
HAMILTON AT ITS MEETING HELD ON THE Eighth DAY OF February
A.D., 1983.

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the
Revised Statutes of Ontario, 1980, the powers of a municipal corporation
are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act,
being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of
every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council
of The Corporation of the City of Hamilton at this meeting be confirmed
and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton
enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton
in respect to each recommendation contained in the Reports of the
Committees and of the local Boards and Commissions and each motion and
resolution passed and other action taken by the Council of The
Corporation of the City of Hamilton at this meeting is hereby adopted
and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of
Hamilton are hereby authorized and directed to do all things necessary
to give effect to the action of the Council of The Corporation of the
City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the
City Clerk, or in the absence of the City Clerk, the Deputy City Clerk,
are authorized and directed to execute all documents necessary in that
behalf and to affix thereto the seal of The Corporation of the City of
Hamilton.

PASSED this Eighth day of February A.D., 1983.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Authorize:

A TRANSFER OF UNEXPENDED DEBENTURE PROCEEDS

WHEREAS the Ontario Municipal Board by Order dated the 27th day of July, 1981, (File No. 81863) approved,

- (a) the renovations, reconstruction, alteration and addition to the Coronation Community Recreation Centre at an estimated cost of \$648,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures as set out below by The Regional Municipality of Hamilton-Wentworth, chargeable to the applicant corporation;

AND WHEREAS the Ontario Municipal Board by Order dated the 4th day of January, 1983, (File No. 81863) approved the use of \$173,159.02, being the unexpended proceeds realized from the sale of debentures issued for other purposes (File No. E 741503) payable out of the general rate to pay a part of the cost of the renovations, reconstruction, alteration and addition to the Coronation Community Recreation Centre.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The sum of \$173,159.02, being the portion of the said proceeds which is remaining in the hands of The Corporation of the City of Hamilton from the sale of debentures issued for the undertaking approved by Order of the Ontario Municipal Board dated the 24th day of September, 1974, (File No. E 741503), may now be applied to pay part of the cost of the project comprised of renovations, reconstruction, alteration and addition to the Coronation Community Recreation Centre, in accordance with the Order of the Ontario Municipal Board dated the 4th day of January, 1983, aforesaid.

PASSED this

day of

A.D. 1983.

City Clerk

Mayor

(1982) 19 R.F.C. 6, October 26



Urb/Mun Agenda
Bulletin Board

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

FEB 21 1983

Tuesday, February 22, 1983
7:30 o'clock p.m.
Council Chambers
City Hall

A G E N D A

1. Prayer
2. Citizen Appointments to the Hamilton Hydro Electric Commission
3. Minutes of Previous Meeting held February 8, 1983
4. Correspondence and petitions - City Clerk
5. Reports of Standing Committees
 - A Transport and Environment Committee
 - B Parks and Recreation Committee
 - C Finance Committee
 - D Planning and Development Committee
 - E Legislation Committee
 - F Personnel Committee
 - G Nominating Committee
 - H Special Harbour Committee
6. Consideration of Notice of Motion given at previous meeting:-

RESOLVED: That City Council instruct Lawyers retained by the City not to contact Legal Aid, on our behalf, in any attempt to stop the granting or approval of legal aid certificates.

And, further, that when City Council seeks special legislation to reimburse an individual for his or her legal expenses, we ask that Lawyer not to contact Legal Aid in any attempt to stop the granting or approval of legal aid certificates.

Alderman M. Davison
7. Notice of Motions for next meeting
8. First reading of Bills
9. Second reading of Bills - Committee of the Whole
10. Third reading of Bills
11. Question period
12. Adjournment

MEETING OF CITY COUNCIL

February 22, 1983

REPORTS

A Transport and Environment Committee
B..... Parks and Recreation Committee
C Finance Committee
D Planning and Development Committee
E..... Legislation Committee
F..... Personnel Committee
G Nominating Committee
H Special Harbour Committee

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **FIFTH** Report for 1983 and respectfully recommends:

1. That the following increase to the Canadian Corps of Commissionaires (Hamilton), for the provision of parking enforcement services for the Traffic By-law Enforcement of the Traffic Department for 1983 be approved:

	Regular Rate Per Hour	Overtime Rate Per Hour	Holiday Rate Per Hour
Sergeant	\$6.98	\$10.47	\$17.45
17% Administration Fee	<u>1.18</u>	<u>1.78</u>	<u>2.97</u>
Billing Rate	\$8.16	\$12.25	\$20.42
Commissionaires	\$6.25	\$9.38	\$15.63
17% Administration Fee	<u>1.06</u>	<u>1.59</u>	<u>2.66</u>
Billing Rate	\$7.31	\$10.97	\$18.29

NOTE: The above reflects a 5% increase on billing which includes a 1% administration fee resulting in an overall 4.2% increase to the commissionaires.

2. That Item 15 of the Report of the Board of Control adopted by Council on December 8, 1959 which authorized the purchase of a triangular parcel of land having 55' frontage on the south side of Denlow Avenue (about 150 sq.ft. in area) part of Township Lot 19, Concession 5, Barton, be rescinded.

NOTE:

- i. The item authorized the acquisition from Mr. Henry H. Lowden and Mrs. Rita E. Lowden of a small triangular parcel of land for the widening of Denlow Avenue. (This was a portion of a parcel which the City had sold the Lowdens the previous year).
- ii. The price was shown as \$1.00 and the City was to assume the cost of local improvement charges which had been levied against the lands sold to the Lowdens the previous year. It was noted that a sewer charge had been levied as a local improvement and totalled \$645.80.
- iii. The parcel of land was not acquired by the City and when Denlow Avenue was constructed, the street was built in such a way that the small parcel was not included.
- iv. Mr. J. R. G. Leach, the Commissioner of Engineering, reports that this triangular parcel of land is not required.
- v. The rescission of the Council resolution will enable the Treasury Department to remove the amount from its books.

3. That the City of Hamilton agree to accept a reduction of sixteen point six four (16.64) acres from the 1978 agreement of the City and the Region for the purchase by the City of the one hundred and eight point four three (108.43) acre former Upper Ottawa landfill site from the Region, which earlier agreement was approved by Council on February 14, 1978, in adopting Item 23 of the 7th Report of the Board of Control. Parts 2 and 4, on survey RC-H-208, comprising approximately of ninety-one point seven eight (91.78) acres would, therefore, be included in the Region's deed to the City; and,

That the Region's conveyance of its former Upper Ottawa landfill site to the City be on the same terms as those approved by the Region and the City in connection with the City's purchase from the Region of the Region's former west-end landfill site adjacent to Highway 403, which terms are as follows:

- i. "That the site be given final cover and grading by the Region while any landscaping topsoil and improvements to the property will become the responsibility of the Area Municipality.
- ii. That any continuing debt or obligation against the property would be assumed by the Area Municipality.
- iii. The Region will prepare these sites to meet Ministry of the Environment standards and requirements for closure and will provide monitoring services to the Area Municipalities without cost.
- iv. The Region will provide environmental insurance protection for these sites on behalf of the Region and the Area Municipalities in which the sites are located."

NOTE: On February 14, 1978 (Item 23, 7th R.B.C.), Council authorized the City's purchase of the Region's Upper Ottawa one hundred and eight point four three (108.43) acre landfill site in exchange for the City's sale to the Region of a City owned seven point nine two (7.92) acre parcel of vacant industrial land for a new Regional waste transfer station.

On October 19, 1979, the Region registered the City's deed to it of the seven point nine two (7.92) acre parcel of land.

On November 9, 1979, the Regional Solicitor delivered to the City Solicitor the Region's deed to the City of the one hundred and eight point four three (108.43) acre Upper Ottawa landfill site with the request not to register their deed to the City until the landfill site was closed.

On November 31, 1979, the provincial Ministry of Environment registered on title to the Region's Upper Ottawa land fill site a Certificate concerning the Region's operation of the site and to give Notice that Section 46 of The Environmental Protection Act prohibits any use being made of the land after it ceases to be used for waste disposal purposes in order to protect future occupants of the site and the environment from any hazards which might occur as a result of waste being disposed of on the site.

Last month, the Regional Solicitor requested the return of the Region's deed he delivered on November 9, 1979. This request was made because the Region now realizes that a sixteen point six four (16.64) acre portion of the Upper Ottawa landfill site is required for its proposed East-West Mountain Freeway and accordingly, the Region wishes to revise the deed to the City to delete sixteen point six four (16.64) acres. The City would receive ninety-one point seven eight (91.78) acres of the Upper Ottawa landfill site instead of one hundred and eight point four the (108.43) acres as originally approved by Council on February 14, 1978).

4. That the Agreement by Owner to Accept Compensation regarding the expropriation of 5.607 acres of land east of Mount Albion Road from Katherine McNally for the sum of \$33,269.16 be completed.

This parcel of ravine land was expropriated by the City on December 28, 1966 as it was required for open space and flood control purposes. The agreement before the Committee for their approval will finalize this expropriation. This is to be charged to account #0280-02.

5. That:
 - i. The City acquire an easement over the lands of Katherine McNally measuring 68' by 661' (more or less), the said lands having a frontage along the southerly end of Montmorency Drive, for the sum of \$301.00.
 - ii. The City acquire the fee simple interest from McNally Bros. (1965) Limited of a parcel of land having a frontage along the easterly limit of Mount Albion Road of 37.60 feet and containing 11.739.16 square feet, more or less, for the sum of \$301.00

These parcels of land are required for the installation of services and for roadway purposes and will enable the owner of lands to the south to create a plan of subdivision. Said amounts to be charged to account #0280-02.

6. That the closing date of subject sale of lands to Construction House of Hamilton Ltd. for the sum of \$200,000 which was authorized by City Council on October 12, 1982 (the 16th Report of the Transport & Environment Committee) and scheduled to close on December 8, 1982, be extended to close on April 28, 1983.

NOTE: This transaction was previously extended from December 8, 1982 to February 21, 1983 to provide for the procurement of a minor variance required for the intended development.

We would advise that through inadvertence, the decision by the Committee of Adjustment was not affirmatively received by the Purchaser until February 1, 1983. As there is a twenty-one day for appeal to their decision, ie. February 22, 1983, the Purchaser cannot close as scheduled. Accordingly, we have recommended the extension to April 28, 1983 which will provide for sufficient time for the Purchasers to complete their plans and apply for building permits.

7. That a parking prohibition be implemented on both sides of Clarence Street between Queen Street North and the easterly end of the street.

8. That:

- i. the "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the south side of Sanders Boulevard between West Park Avenue and Westbourne Road be rescinded, and;
- ii. the "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the north side of Sanders Boulevard between Daleview Court and Binkley Crescent be rescinded.

9. That westbound traffic on Afton Avenue be required to stop at Norway Avenue.

10. That:

- i. an additional subsection be established in By-law 66-100 to provide for a "Two Hour Parking Time Limit, 7:00 a.m. to 5:00 p.m., Monday to Saturday" regulation, and;
- ii. that a "Two Hour Parking Time Limit, 7:00 a.m. to 5:00 p.m., Monday to Saturday" regulation be implemented on the east side of MacNab Street North between Colbourne Street and Mulberry Street.

11. That Item 9 of the Report of the Traffic and Engineering Committee, adopted by City Council on October 30th, 1979, respecting the proposed closing of an alleyway, first south of Barton Street, west of Elgin Street, be rescinded in its entirety.

NOTE: The applicant for this closing - Roman Catholic Episcopal Corporation of the Diocese of Hamilton - has advised, effective January 27th, 1983 that they no longer wish to pursue this matter.

12. That the City Solicitor be directed to proceed with the preparation of a By-law to establish Leander Drive by incorporating Parts 1, 2 & 3, Plan 62R-6464.

NOTE: The Hamilton Harbour Commissioners have recently conveyed to the City an area for park purposes in the west end of the harbour. At the same time, they also conveyed sufficient lands for a new road to access the park from Bay Street. These lands are Parts 1, 2 & 3, Plan 62R-6464. The Planning and Development Department were asked to provide a name for the new road and have advised that Leander Drive would be satisfactory. It now remains for the road to be formally established by By-law.

13. That the City Solicitor be directed to proceed with the preparation of a By-law to widen Ferguson Avenue by incorporating therein Part 1, Plan 62R-1197.

NOTE: The Corporation purchased these lands in 1975 as part of its policy to establish Ferguson Avenue at a width of 80'. No other lands have been acquired as yet and the subject lands should be incorporated as highway to prevent any adverse possession claim.

14. That the City Solicitor be directed to proceed with the preparation of a By-law to widen Fairridge Road, at its southern end, east side, by incorporating lands shown on Plan N.S. 1656 Surveys.

NOTE: Sufficient land to provide for a turn-around at the south end of Fairridge Road has been acquired from the T.H. & B. Railway. The road has been constructed utilizing this turn-around and it remains for a formal By-law to legalize the street limits.

15. Whereas the Ministry of the Environment has requested comments from the Area Municipality of Hamilton regarding an application submitted to the Ministry by Philip Enterprises Inc. for a certificate to operate transfer and processing facilities for non-hazardous solid wastes at 77 Brant Street and 237 Brant Street in Hamilton; and

Whereas a review of the existing and proposed operation by the Department of Engineering, the Building Department and the Ministry of the Environment concluded that there was no cause to object to the application by Philip Enterprises to the Ministry;

It is therefore recommended that the Ministry of the Environment be advised that there are no objections to the application by Philip Enterprises.

NOTE: The sites under review were examined with the following observations:

Philip Enterprises Inc. currently operates two Ministry licensed waste handling facilities on Brant Street. Existing activities include:

- (a) ferrous reclamation from waste foundry sand,
- (b) scrap lumber salvaging,
- (c) transfer facilities for construction and demolition debris, and municipal wastes which are not suitable for processing in the Region's waste management system (ie. catch basin cleanings, street sweepings).

All salvageable materials are recycled, and remaining residues are transported to suitable private disposal sites.

The current application by Philip Enterprises is to extend the approved operations to include the stabilization and transfer of Burlington Steel flue dust. This waste is generated locally at a monthly rate of 50 to 200 tons, and is classified as being unacceptable for disposal at the Regional Landfill Site. Unless it is properly stabilized, the flue dust is unsuitable for landfilling at local private quarries, which are licensed to receive certain wastes.

Since the closure of the former Regional landfill sites, the establishment of privately operated waste handling facilities has met an essential need. These operations process or landfill solid wastes which cannot be handled, or need not be handled, by the Regional system.

The proponent's consultant, Dr. J. Emery of Trow Ltd., has developed a stabilization process which meets the requirements of the Ministry of the Environment.

16. That leave be granted to introduce the following bills:

- (a) A-12 By-law to authorize:
 - (1) The construction of local improvements on an alleyway in the block bounded by Sherman, Rosemont, Barnesdale and Somerset Avenues, as described in Schedule "A";
 - (2) The special assessment to pay a portion of the cost, upon petition made under Section 11 of The Local Improvement Act;
 - (3) The preparation of plans, specifications and reports and the supervision of the construction by the Regional Commissioner of Engineering.
- (b) A-13 By-law to amend By-law No. 66-100 to Regulate Traffic.
- (c) A-14 By-law to amend By-law No. 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

ALDERMAN V. AGRO, ACTING CHAIRMAN

R. C. Prowse,
Secretary

February 14, 1983

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **SIXTH** Report and respectfully recommends:

1. Approval of the awarding of the following contracts:

(a) WEN-HAL LIMITED, Burlington, Ontario

To supply and deliver 46 Tonne Super Golf Green,
4 tonne super K 6-0-36 and 2 tonne of Turf Starter
for the total sum of \$31,434.00

Including all charges.

NOTE: Lowest of six acceptable tenders.

(b) COMSTOCK INTERNATIONAL LIMITED, Burlington, Ontario

To supply all labour, material and equipment necessary
for the heating and ventilating for the Westmount Recreation
Centre Swimming Pool in accordance with plans and specifications
prepared by C. C. Parker Consultants Limited, Hamilton and the
Vendor's Tender for the total sum of \$69,146.00

Including all charges.

NOTE: Lowest of six tenders received.

2. That the following rental rates for facilities at the Central Memorial and Huntington Recreation Centres be implemented effective February 8th, 1983:

	<u>PRESENT</u>		<u>PROPOSED</u>	
	<u>WEEKDAYS</u>	<u>WEEKENDS</u>	<u>WEEKDAYS</u>	<u>WEEKENDS</u>
Gymnasium - (maximum 4 hours)				
Children and Youth Groups	\$5.00	\$10.00	\$5.00	\$11.00
Adult Groups	\$32.00	\$38.00	\$34.00	\$40.00
Revenue Producing Groups	\$50.00		\$53.00	
Games Rooms - (maximum 4 hours)				
Children	\$5.00		\$5.00	
Adults	\$10.00		\$11.00	

NOTE: These rates represent an approxiamte 6% increase.

3. That the following rental rates charged by the Department of Culture and Recreation for community use of Hamilton-Wentworth Roman Catholic Separate School Board facilities be implemented effective February 8th, 1983.

	<u>PRESENT</u>		<u>PROPOSED</u>	
	<u>WEEKDAYS</u>	<u>WEEKENDS</u>	<u>WEEKDAYS</u>	<u>WEEKENDS</u>
Elementary School Gymnasium - (maximum 4 hours)				
Adults	\$32.00	\$38.00	\$34.00	\$40.00
Children	\$5.00	\$20.00	\$6.00	\$21.00
Secondary School Gymnasium - (maximum 4 hours)				
Adults	\$32.00	\$38.00	\$34.00	\$40.00
Children	\$6.00	\$20.00	\$6.00	\$21.00

NOTE: These rates represent an approximate 6% increase.

4. Approval of the application by the Church of St. Anthony of Padua to hold its Annual Feast in Ivor Wynne Stadium on Sunday, June 14th, 1983 between the hours of 11:00 a.m. and 11:30 p.m., subject to the following terms and conditions:

That the applicant:

- (a) Provide proof of \$250,000.00 Comprehensive General Liability Insurance for Property Damage and Bodily Injury Naming the Corporation as co-insured.
 - (b) Provide adequate policy supervision as deemed necessary by the Hamilton-Wentworth Regional Police, at the applicants expense.
 - (c) Submit the rental fee of \$769.00 plus the labour costs associated with set up and dismantling for the event as estimated by the Parks Division, 14 days in advance of the event.
 - (d) Obtain the necessary licence to hold a fireworks display.
 - (e) Restrict admission to the north stands only.
 - (f) Comply with the terms and conditions set down by the Director of Culture and Recreation in accordance with Schedule B of the Operational Regulations for Use of the Ivor Wynne Stadium Complex.
5. (a) That the City Solicitor be authorized and directed to prepare and have executed an agreement between the City of Hamilton and the Hamilton-Wentworth Separate School Board whereby the City agrees to landscape and provide play facilities on a part of the elementary school grounds at St. Patrick's School, at a cost not to exceed \$50,000.00, which agreement shall include the following:
- (i) Term for a period of ten years from completion of construction and deemed to commence April 1, 1983 for calculating ten year term.
 - (ii) At end of ten year term, facilities to become the property and responsibility of the Board.
 - (iii) Separate School Board to have use of facilities between 7:00 a.m. and 4:30 p.m. on school days, including professional development days (eg. excluding holidays, weekends etc.) and the City to have use at all other times.

- (iv) City to assume all maintenance and repair of playground equipment to a maximum of \$2,700.00 over ten year period, except grass cutting, maintenance of paved and landscaped areas, and general cleanliness to be responsibility of Separate School Board, providing if city does not maintain and/or repair in excess of \$2,700.00, Separate School Board has right to remove and/or repair that facility.
- (v) Board to indemnify the city for claims during its use as per (ii) above. City to indemnify board at all other times.
- (vi) Board may sell lands during minimum ten year period if lands are no longer required for school purposes but only if the board at its option,
 - a. requires any purchaser to enter similar agreement with the city, or
 - b. repays the \$50,000.00 less a daily rate of forgiveness for depreciation calculated on the cost of construction divided by the ten year term.
- (vii) The Separate School Board to obtain the approval of the Minister of Education to enter into the agreement as required by The Education Act.
- (b) That an amount of \$2,700.00 be set aside from current estimates to provide for maintenance costs of this playground development during the term of the agreement. a proportion of which is to be transferred to the Culture and Recreation Department's budget yearly, and that the Finance Committee be requested to recommend the method of financing this expenditure.

6. Approval of additional fees of \$17,443.57 to Michael J. Torsney, Architect, for the Sir Allan MacNab Recreation Centre.

NOTE: The original fee approved for Mr. Torsney in the amount of \$185,000.00 was a pre-tender estimate and now that the construction cost of \$2,123,770.00 is known, this will increase the fee by \$5,901.60. There is an additional charge of \$11,541.97 for redrafting required to include the moveable floor in the therapeutic pool which has been incorporated in this facility. There are sufficient unencumbered funds in the project account for these additional fees.

7. (a) That the City of Hamilton enter into a lease arrangement with Cap'n Bob's Tours for the use of a portion of the 5 acre proposed park adjacent to the Leander Boat Club, subject to:
- (i) The Hamilton Harbour Commission confirming that the proposed lease is a public park use in accordance with their deed to the City of Hamilton.
 - (ii) The approval of City Council to amend By-law 77-65 to delete the subject property from the "LPN" zone.
 - (iii) The approval of the Hamilton Region Conservation Authority.
 - (iv) The approval of the Hamilton Harbour Commission for their lease to the Lessee of the necessary waterlots for this operation.

- (b) That the Lessee (Cap'n Bob's Tours) erect, at his own cost, a dock including the ticket office and parking area facility in a manner satisfactory to the Director of Public Works.
- (c) That the lease term be for a period commencing June 1st to September 30, 1983. In view of the initial start up costs associated with construction of the dock facility, and the increase in public liability insurance required by the City, the Committee is recommending that the rent for 1983 be a flat rate of \$100.00 plus any realty and business taxes generated by this operation.
- (d) That the boat tour operation and its location be an integral part of the design plan required for this Special Open Space Policy Area.

In this regard, the ideal location for this use relative to other potential uses for the area can be predetermined in order to maximize the recreational potential of the policy area. Once the proposed location of the lessee's business, dock related equipment and parking is determined in conjunction with the design plan, City Council approval will be requested before May 1, 1983 for the specific land to be included in the lease to the lessee.

- (e) That the Planning and Development Committee and City Council be requested to amend By-law 77-65 to delete the subject property from the "LPN" zone.
 - (f) That the Mayor and City Clerk be authorized to execute a lease agreement in a form satisfactory to the City Solicitor.
8. That the Mayor and Chairman and/or Vice-Chairman of the Parks and Recreation Committee be authorized to hold preliminary meetings and discussions with any groups or individuals relative to the question of an NHL Franchise for the City of Hamilton; and, that these discussions continue under the explicit understanding that no commitment of City support shall be given to any proposal until such time as the appropriate committee(s) and Council have dealt with the matter; and, prior to the 31st of March, 1983 the Mayor and Chairman and/or Vice-Chairman of the Parks and Recreation Committee will make a recommendation as to the amount of time required to conclude these preliminary discussions.

Taken as read and approved,

**ALDERMAN B. HINKLEY, CHAIRMAN
PARKS AND RECREATION COMMITTEE**

Mr. J. J. Schatz, Secretary
February 10th, 1983

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its **FIFTH** Report and respectfully recommends:

1.
 - (a) That the Corporation of the City of Hamilton consent to the Hamilton Municipal Employees Credit Union Limited renewing a sub-lease agreement with the Hamilton Folk Arts Council with respect to space occupied by the Hamilton Folk Arts Council in the basement level of the Canadian Football Hall of Fame building for a period of one (1) year from December 1, 1982 to November 30, 1983.
 - (b) The Mayor and City Clerk be authorized to execute the lease agreement between the Hamilton Municipal Employees Credit Union Limited and the Hamilton Folk Arts Council solely for the purpose of consenting to the within sub-lease between the two parties.
2. Approval of the sale of 12 William Street to Anthony and Saveria Capolongo for the sum of \$17,000.00. Offer to be accepted on or before March 1st, 1983. Cash on closing of sale which shall be on or before May 2nd, 1983.
3.
 - (a) Approval of the leasing of space at 100 Main Street East, Suite 106, from John Ingle & Associates, Manager, Canada Mortgage and Housing Corporation, by the City of Hamilton for the Wage Restraint and Unemployed Co-ordinating Committee at a monthly rental of \$675.00 to include all utilities, realty taxes, cleaning, repair and maintenance costs, commencing February 15, 1983 to August 15, 1983.
 - (b) That the Mayor and City Clerk be authorized to execute the Tenancy Agreement.

NOTE: In adopting Item 6 of the Third Report of the Finance Committee, City Council on January 25th, 1983 approved a grant, not to exceed \$10,000.00, to the Wage Restraint and Unemployed Co-ordinating Committee (WRUCC) to underwrite the rental and utility costs of a Job Information Centre. The costs are to be financed from Unclassified Account No. 0378-2785.

4. Section 13 of the Fourth Report of the Transport and Environment Committee makes reference to the construction of an alley in the block bounded by Barton Street, Glendale, Beechwood and Cavell Avenues at a gross cost of \$22,000.00.

In this regard, the Finance Committee recommends that the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval to construct a 3.7m wide concrete alley in the block bounded by Barton Street, Glendale, Beachwood and Cavell Avenues (north-south portion only) at an estimated cost of the owner's share of \$8,010.00 as well as the City's share of \$13,990.00 by the issuance of debentures totalling

\$22,000.00 for a period not to exceed 15 years.

It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth for consent to issue debentures in the total amount of \$22,000.00 for a term not to exceed 15 years for the above project.

5. Approval of the awarding of the following contracts:

(a) **EASTERN AUTO ELECTRIC, Hamilton, Ontario**

To supply and deliver automotive parts in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows, for the years 1983, 1984 and 1985:

Ignition Parts - Motorcraft Jobber Price - 13%
Spark Plugs - Motorcraft Jobber Price - 15%
Spark Plugs AC Delco Jobber Price - 10%
Auto electric repairs - \$19.00 per hour for 1983
increase of \$1.00 per hour per year.
Auto Lamps - Motorcraft Jobber Price - 25%
Ontario Sales Tax extra.

(b) **BARTON AUTO SUPPLY, Hamilton, Ontario**

To supply and deliver automotive parts in accordance with specifications issued by the Director of Purchasing and Vendor's Tender, for the years 1983, 1984 and 1985, as follows:

Auto Electric Parts - Nasco Jobber Price - 25%
(Alternators, Regulators, Starters)
Clutches & Brakes - Nasco Jobber Price - 25%
Ontario Sales Tax extra.

(c) **HAMILTON AUTO SUPPLY, Hamilton, Ontario**

To supply and deliver automotive parts in accordance with specifications issued by the Director of Purchasing and Vendor's Tender, for the years 1983, 1984 and 1985, as follows:

Fram Filters - Jobber Price - 15% & 2%
Dominion Auto Lighting - Jobber Price - 25% & 2%
Champion Spark Plugs - Jobber Price - 5% & 2%
Trico Wiper Blades - Jobber Price - 10% & 2%
Kleen Flo Products - Jobber Price - 10% & 2%
Gates Belts & Hose - Jobber Price - 10% & 2%
Ontario Sales Tax extra.

(d) BARTLETT BRAKE & CLUTCH SERVICE LTD., Hamilton, Ontario

To supply and deliver automotive parts in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows, for the years 1983, 1984 and 1985.

Clutches & Brakes (Industrial) Nasco Jobber Price - 25%
Ontario Sales Tax extra.

NOTE: Lowest of 14 tenders received.

6. Approval of the settlement of the following claims:

- (a) Mr. Roy George Webster, a City, employee working with the Streets and Sanitation Department at the time of this accident, was struck by an unidentified and unknown driver. Because the driver and owner of the vehicle could not be identified, action was commenced against The Superintendent of Insurance (Motor Vehicle Accident Claims Fund). Mr. Webster suffered injury to his right forearm and elbow, leaving a skin wound that has healed leaving a small scar. A settlement was negotiated in the amount of one thousand eight hundred and twenty-nine dollars and forty cents (\$1,829.40) plus three hundred dollars (\$300.00) for costs, for a total of two thousand, one hundred and twenty-nine dollars and forty cents (\$2,129.40), which settlement was approved by City Council at its meeting held October 26, 1982. After deduction of the City's expenses there remains a surplus of eight hundred and nineteen dollars and eighty cents (\$819.80) which must be paid to Mr. Webster pursuant to Section 8(4) of The Workmen's Compensation Act, R.S.O. 1980, Chapter 539. The Workmen's Compensation Act also provides that in the event of a recurrence, the surplus paid to the workman remains as a credit to the City and will be deducted from the amount of any further compensation or other benefits to which the workman may become entitled to from Workmen's Compensation with respect to this accident.
- (b) By County Court writ issued December 17, 1979, Carmelo Joseph Scime commenced action against the City and Malcolm C. Forbes for damages for personal injuries he suffered in a motor vehicle accident on October 7, 1979. Mr. Forbes was a City employee in the Streets and Sanitation Department and was operating a city flusher at the time. Mr. Scime suffered injury to neck and back incurring a strain of his cervical and lumbar spine. It is recommended that Mr. Scime's claim be settled in the amount of \$2,500.00 inclusive of general damages, special damages, prejudgment interest and costs.

7. Approval of the payment of the following accounts:

- (a) Action was commenced against the City as well as James E. Campbell, James A. Bethune, Dennis A. Carson, Daniel Vyce and Gerard Keenan by Supreme Court of Ontario Writ issued July 16, 1981 in which Mr. Wilson claimed damages for libel.

The City obtained special legislation to assume and pay all costs and legal expenses as may be incurred from time to time and the full amount of any judgment as may be awarded as a result of Mr. Wilson's action against James A. Bethune, James E. Campbell and Dennis Carson.

Messrs. Bethune, Campbell and Carson retained Mr. Brian W. B. Morison, Q.C., who submitted an account dated August 20, 1982 in the amount of \$9,039.32 which was taxed on November 2, 1982 and reduced by \$2,380.00 to \$6,659.32. Further the City was awarded \$50.00 in costs against Mr. Morison on the taxation, which together with the \$200.00 recovered by Mr. Morison from Mr. Wilson as costs on court motions, left a balance of \$6,409.32. City Council approved payment of the balance of the \$6,409.32 at its meeting of December 14, 1982 and payment has been made.

When Mr. Wilson's action was dismissed, it was dismissed with costs payable by Mr. Wilson to Messrs. Campbell, Bethune and Carson as well as the City and Messrs. Vyce and Keenan. Mr. Morison taxed his clients' costs against Mr. Wilson in the amount of \$635.00 each for a total of \$1,905.00.

The City taxed its costs against Mr. Wilson in the amount of \$1,359.50 and Mr. Evans, acting for Messrs. Vyce and Keenan, taxed their costs against Mr. Wilson in the amount of \$1,986.00.

Mr. Morison submitted an account dated November 22, 1982 in the amount of \$870.00 for his services in taxing the costs of Messrs. Campbell, Bethune and Carson against Mr. Wilson. This account was taxed on January 18, 1983 and reduced by \$250.00 to \$620.00 payment of which is recommended.

- (b) That two interim accounts of \$2,754.13 and \$4,765.82 be paid to Fraser and Beatty in respect of billings received to date for work carried out for the interface and lease agreements for the Hilton Hotel.

8. Approval of a policy whereby the Capital Budget Committee not consider any project for inclusion in the Capital Budget Programme unless the submission includes a forecast of the ongoing costs associated with that new facility or the net ongoing costs, in the case of a facility being replaced or renovated; and, that this policy be forwarded to all Department Heads and Committee Chairmen.
9. Section 5 of the Sixth Report of the Parks and Recreation Committee makes reference to an agreement between the City of Hamilton and the Hamilton-Wentworth Roman Catholic Separate School Board respecting the development of play facilities on the school grounds at St. Patrick's School.

The Finance Committee recommends that the funds required to be set aside to provide for the maintenance of playground equipment at St. Patrick's School for a ten year period, in the total amount of \$2,700.00 be financed by a transfer from the Reserve for Contingency to a separate Reserve for repairs and maintenance of playground equipment - St. Patrick's School.

10. That the following resolution be adopted by City Council:

"That to the best of City Councils' knowledge, Mr. James E. Wilson does not owe the Corporation of the City of Hamilton any monies other than normal business and

realty taxes that may be currently due and legal costs in the sum of \$5,250.00 resulting from legal actions, namely, Supreme Court Action No. 421/81."

11. Members of City Council are advised that at its meeting February 17th, 1983 the Finance Committee, due to a 4 - 4 tie vote, was unable to agree on the submission of either a positive or negative recommendation with respect to the matter of Special Legislation respecting the guarantee of interest payments on hotel developments.

It was agreed however, that the following recommendation and background report of the City Treasurer and Commissioner of Finance would be submitted to City Council for its consideration.

"In order to round out development of the City, the need for the development of hotel accommodation is vital. In order to encourage the development of hotel facilities we propose to offer assistance to hotel developers who are encountering difficulties in raising the necessary mortgage funds to finance the development of their projects. It is therefore recommended that the City Solicitor be authorized and directed to make application for private legislation which would permit the city to guarantee interest payments on the principal amount of a mortgage as follows:

- (i) The City guarantee interest to be paid only on an amount of mortgage not to exceed \$3,000,000.00 for any hotel developer;
- (ii) the period for guarantee shall be limited to three years;
- (iii) the interest rate to be paid by the city will be the amount as stated in the mortgage agreement, but limited to 14%.

BACKGROUND

We have been advised that in some cases, it is possible for a hotel developer to raise the required mortgage providing they can receive a guarantee from the City for payment of interest on the upper limits of the mortgage.

In a discussion with the City Solicitor on January 17th, 1983 and his previous letter dated December 15, 1982, to the City Treasurer, the City Solicitor indicated a number of precautions that should be taken before the City commits itself in respect of a transaction that involves the above recommendation. He suggested, before the City enters into any agreement with any named developer, that:

- (a) the City should make certain that any proposed arrangement is financially viable. To that end, he said that there should be a thorough investigation by the City Treasurer of the intricate financial arrangements or financing, including scrutiny of all necessary audited financial statements, balance sheets, income statements, profit and loss statements, statements of application of funds or any other presentation of financial data

derived from the financial records including pro forma statements as may be required;

- (b) all agreements that the proposed developer has entered into, or proposed to enter into, that bear upon the financial stability of the developer and the City's function in relation to the developer, be studied for its financial implications;
 - (c) the City should obtain from the developer a feasibility study pertaining to the proposed hotel development."
12. That the Corporation of the City of Hamilton support applications for private Canada/Ontario Employment Development Programme (C.O.E.D.) funding for downtown hotel developments.
13. That leave be granted to introduce the following bill:

Bill No. C-7 - A by-law to Amend By-law 71-69 Respecting Penalty for Non-payment of Taxes and Interest on Tax Arrears.

Respectfully submitted,

**ALDERMAN P. J. PETERSON, CHAIRMAN
FINANCE COMMITTEE**

Mr. J. J. Schatz
Secretary
February 17th, 1983

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FIFTH** Report for 1983 and respectfully recommends:

1. That approval be given to **Zoning Application 83-02, Nethercott Chevrolet Oldsmobile Ltd., owner**, requesting a modification to the established "HH" (Restricted Community Shopping and Commercial) District regulations applicable to the property at No. 1591 Upper James Street, as shown on the attached plan marked as APPENDIX "A" on the following basis:
 - (a) That the "HH" (Restricted Community Shopping and Commercial) District regulations applicable to the subject lands be modified as follows:-
 - (i) That notwithstanding the provisions of Section 14A(1) of By-law No. 6593, an auto body, fender repair and paint shop, limited to 335 m² in area, shall be permitted within the existing building as a commercial use accessory to the existing car sales agency.
 - (b) That the amending by-law be added to Section 19(b) of Zoning By-law No. 6593 as Schedule S-814, and that the subject land on Zoning District Map E-9D be notated S-814;
 - (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-9D, and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk; and
 - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The By-law will provide for a modification to the established "HH" (Restricted Community Shopping and Commercial) District to permit an auto body, fender repair and paint shop, limited to 335 m² in area, within the existing building as a commercial use accessory to the existing car sales agency, at No. 1591 Upper James Street, as shown on Zoning District Map E-9D.

2. That approval be given to **Zoning Application 82-17, Kris Steinbergs, owner**, requesting a modification to the established "C" (Urban Protected Residential, etc.) District regulations applicable to property located at No. 265 Bowman Street and lands to the rear of Nos. 269 to 275 Bowman Street, as shown on the attached plan marked as APPENDIX "B" on the following basis:
 - (a) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593 be modified on the following basis:
 - (i) That notwithstanding the provisions of Section 9(4) of By-law No. 6593, a lot width of at least 6.0 m shall be permitted.

- (b) That the amending by-law be added to Section 19(b) of Zoning By-law No. 6593 as Schedule S-815 and that the subject lands on Zoning District Map W-42 be notated S-815.
- (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W-42 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (e) That the proposed development be placed under Site Plan Control pursuant to By-law 79-275 in regards to lot grading and drainage.

Explanatory Note - The by-law provides for a modification to the established "C" (Urban Protected Residential, etc.) District regulations applicable to the property located at No. 265 Bowman Street and lands to the rear of Nos. 269 to 275 Bowman Street, as shown on the attached Zoning District Map marked as W-42 (APPENDIX "B") to permit three single-family dwelling lots with a lot width of at least 6.0 m each, as opposed to the required 12.0 m.

- 3. That approval be given to **Application SA 92-08, Jacqueline Schneider, owner**, to establish a draft plan of condominium located at 13 and 15 Inglewood Drive as shown on the plans attached, subject to the following condition:

That all dimensions on the plan be shown in metric measurements.

- 4. That a two year **extension of draft approval for application SA 79-04, proposed subdivision "Paradise Acres"**, located to the south-east of the corner of Stone Church Road and Upper Paradise Road, containing 36 lots for single-family dwellings, 36 lots for semi-detached dwellings, 1 block for commercial use and 2 blocks for future use (residential) be recommended to the Region. Regional File No. 25T-79010.
- 5. That a **one-year extension of draft approval for application SA 76-41, proposed subdivision by Adisco, Ltd., owner**, located to the west of Upper Gage Avenue, between Stone Church Road East and Rymal Road, be recommended to the Ministry of Municipal Affairs and Housing.
- 6. That approval be given to **application SA 80-04, John Petis, owner**, to establish a revised draft plan of subdivision located on the east side of future Upper Kenilworth Avenue south of Limeridge Road, as shown on the plan attached, subject to the following condition:
 - (a) That the approval now apply to the Plan prepared by A. J. Clarke and Associates, dated December 6, 1982.
- 7. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-

6 Alpha Street
189 and 191 Hess Street N.

145 Reid Avenue South
853 Upper Wentworth Street
28 Selkirk Avenue

8. That the City Solicitor be authorized and directed to prepare a By-law directing the Building Commissioner to take all necessary steps to have the site at 218 Weir Street North cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition so as to conform with the Ontario Building Code Act, R.S.O. 1980, Chapter 51, Section 10(2).
9. That the City Solicitor be authorized and directed to prepare a By-law to rescind By-law No. 82-198 dated September 4, 1982, which was prepared for the demolition of the building and clearing of lands at No. 142 Burlington Street East, pursuant to Sub-section 21 of Section 43 of The Planning Act, R.S.O. 1980, Chapter 379.

Explanatory Note - City Council adopted By-law No. 82-198 for the demolition of the property at 142 Burlington Street East due to non-compliance with the Order by the owners, pursuant to Section 43(7) of The Planning Act. The demolition and clearing of the site has now been completed, therefore the Order has been complied with.

10. That the City Solicitor be authorized and directed to prepare a By-law to rescind By-law 82-102, dated April 27, 1982, which was prepared for the demolition of the building and the clearing of lands at 74 West Avenue North, pursuant to Subsection 21 of Section 43 of The Planning Act, R.S.O. 1980 Chapter 379.

Explanatory Note - The above property has been totally rehabilitated and is now in compliance with both the Property Standards By-law and the Building Code.

11. That the Corporation of the City of Hamilton accept the sum of \$8,888.80 as cash payment in lieu of 5 % parkland dedication in connection with "Oakland Park Extension No.3" final plan of subdivision.

Explanatory Note - These lands are located to the west of Gray's Road and Federal Street in the Riverdale East Neighbourhood, City of Hamilton.

12. That total holdback in the amount of \$2,975.62 be released to **Kurt Signs Ltd.**, for completion of contract for interior signage at the **Central Library** pending receipt by the Treasury Department of the necessary forms from the Contractor and Legal Department.
13. That permission be granted to the **Hamilton Convention Centre** to use the external plaza area for automobile display, provided that insurance coverage satisfactory to the City Solicitor is obtained, and subject to the City Architect's direction as to structural load and access.
14. That the **City purchase from the Federal-Provincial-Municipal Partnership**, a parcel of land containing 47,332 sq. ft. more or less, in the York Street Urban Renewal area, located on the south side of York Street between Caroline and Hess Streets, at a unit price of \$1.00 per square foot. These lands are being leased to the Hamilton and District Association for the Mentally Retarded. Further, that application be made to Canada Mortgage and Housing Company and the Ministry of Municipal Affairs and Housing for approval of the sale of the said lands to the City by the Partnership.
15. That the following list of applicants be submitted to City Council for approval, authorizing the Department of Community Development to process grants and/or loans in an amount not to exceed \$7,500.00. The actual amount of grant or loan to be determined by inspection of the property under The Property Standards By-law 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under The Housing Development Act. (Ontario Home Renewal Programme).

That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme.

D. Maurizo
87 Sunrise Drive

16. That the following list of applicants be submitted to City Council for approval authorizing the Department of Community Development to process loans in an amount not to exceed \$7,500.00. The actual amount of loan to be determined by inspection of the property under The Property Standards By-law 74-74 and pursuant to By-law 78-113. (Hamilton Rehabilitation Programme).

That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Hamilton Rehabilitation Programme.

H. Makkinje
38 Highland Avenue

17. With reference to **Bill D-33, a By-law to Amend Zoning By-law No. 6593 respecting Loading and Parking**, City Council, on January 29, 1980, approved City Initiative CI-80-A which recommended approval for an amendment to Zoning By-law No. 6593 to establish revised regulations with respect to parking and loading for residential, commercial, public and institutional uses. Since that time, a number of drafts of the proposed by-law have been reviewed by a staff committee consisting of representatives from the Traffic Department, Building Department, Planning Department and City Legal Department.

This Technical Committee undertook a final review of the proposed by-law and made a number of recommendations to the Planning and Development Committee to amend certain portions of the previously approved resolutions. These amendments were adopted by Committee and approved by City Council on January 26, 1982. A subsequent minor change was also adopted by the Planning and Development Committee and approved by City Council on June 29, 1982, dealing with the parking requirements for hotels in the downtown core area.

Since June of 1982, a series of draft by-laws have been prepared by the Legal Department and submitted to the Traffic, Building and Planning Departments for review and comment. Bill D-33 is the final result of a number of discussions between the various departments in the finalization of the parking and loading by-law, and it is presented to City Council for final approval as set out herein as Section 18(f).

The by-law simply implements already approved recommendations of the Planning and Development Committee and approved resolutions of Council with respect to parking and loading for various uses. The subject matter of this by-law has been the topic of two public meetings. The public will have an opportunity once again to review the by-law when it is circularized as per the usual requirements of The Planning Act and Ontario Municipal Board regulations.

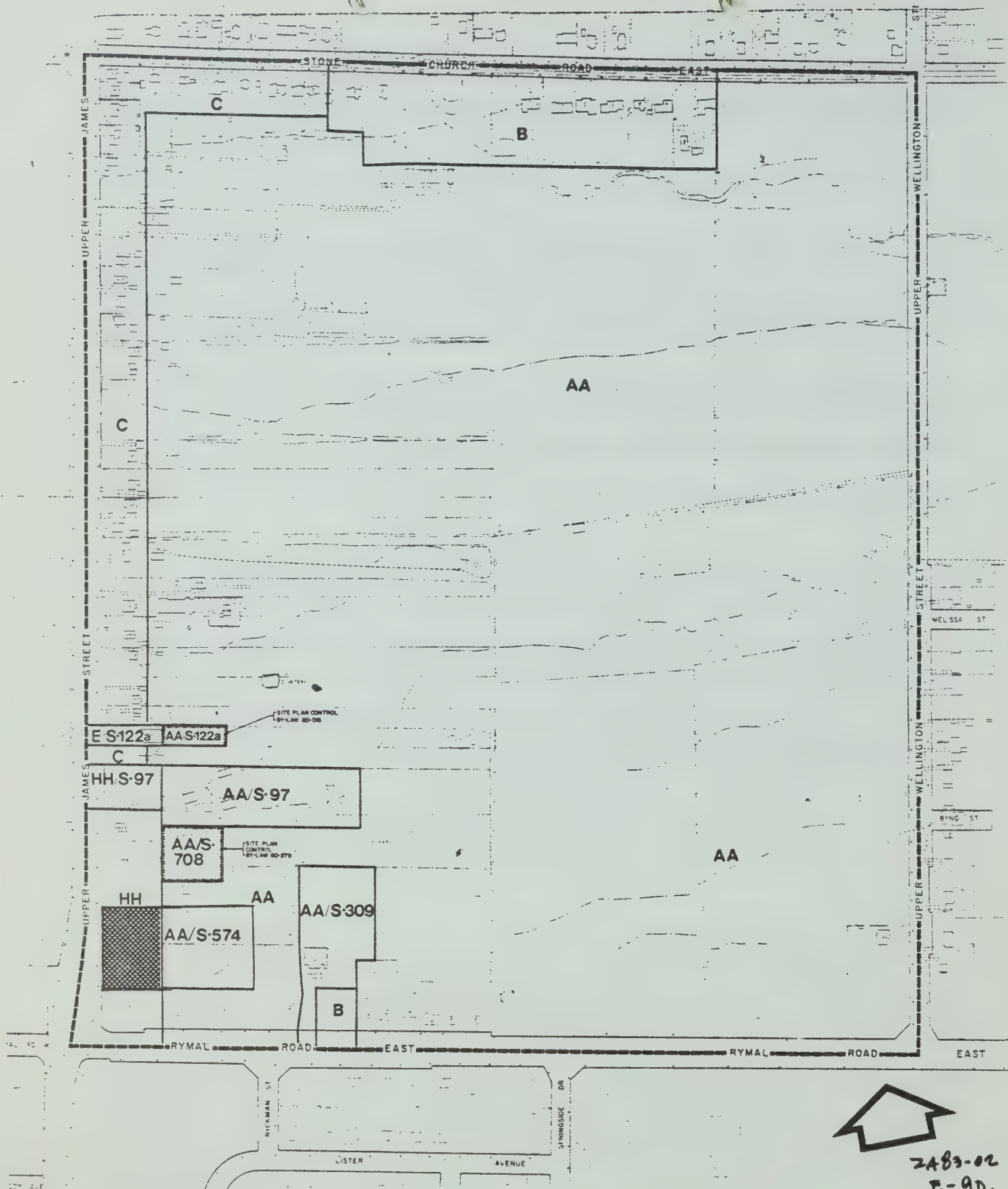
18. That leave be granted to introduce the following Bills:-

- (a) Bill D-28 - By-law to Amend Zoning By-law No. 6593 respecting land located at Municipal No. 60 West Avenue South
- (b) Bill D-29 - By-law to Amend Zoning By-law No. 6593 respecting land located at Municipal No. 401 Barton Street East
- (c) Bill D-30 - By-law to Amend Zoning By-law No. 6593 respecting land located at the north-west corner of Gage Avenue North and Burlington Street East
- (d) Bill D-31 - By-law to Amend Zoning By-law No. 6593 respecting land located on the west side of Garth Street north of Scenic Drive
- (e) Bill D-32 - By-law to Delegate Council's Power or Authority to the Planning and Development Committee AND to Implement SITE PLAN CONTROL
- (f) Bill D-33 - By-law respecting Parking and Loading
- (g) Bill D-34 - By-law to Amend The Property Standards By-law No. 74-74, respecting Fees
- (h) Bill D-35 - By-law to Amend Building By-law No. 75-55 respecting Fees
- (i) Bill D-36 - By-law to Amend Building Code By-law No. 76-119 respecting Fees
- (j) Bill D-37 - By-law to Authorize Demolition and Clearing of Buildings, Structures, Debris or Refuse at Municipal No. 564 Woodward Avenue
- (k) Bill D-38 - By-law to Establish a Board of Management for the Improvement Area generally bounded by King William Street, Mary Street, Main Street East and James Street North

Respectfully submitted

JDT:bg
February 9, 1983

Alderman W. M. McCulloch
Chairman



2483-02
E-9D.

LEGEND.

APPENDIX "A"



SITE OF THE APPLICATION

APPENDIX "A"



2A 82-17
W-42

SITE OF THE APPLICATION

APPENDIX "B"

D-7

APPENDIX "B"

E

REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its **SEVENTH** Report for 1983 and respectfully recommends:

1. That the City of Hamilton **not endorse** the following resolution of the Corporation of the Town of Clinton relating to Assessment Appeal procedures:

"WHEREAS pursuant to Section 39 of the Assessment Act, R.S.O. 1980, Chapter 31, a ratepayer of a Municipality may appeal the assessment on his/her property to the Assessment Review Court;

AND WHEREAS frequently a ratepayer does appeal his/her assessment and is granted a reduction of such assessment on the basis of conditions which may have been obvious when the said ratepayer purchased the property;

AND WHEREAS there is no provision in the Assessment Act for the Clerk or other Municipal Official to appear in the Assessment Review Court to oppose the application for reduction of assessment which Municipal officials might consider to be unjustified;

NOW THEREFORE the Municipal Council of the Town of Clinton resolves that the Legislative Assembly of Ontario be petitioned to amend the Assessment Act to give a municipality the right to have a representative appear at the Assessment Review Court to prepare arguments against assessment appeals which it considers to be unjustified;

AND FURTHER BE IT RESOLVED that the Municipality concerned be informed well in advance of the hearing date of the basis on which each assessment appeal is being made"

Explanatory Note - The Legislation Committee concurs with the recommendations of the City Treasurer and the City Solicitor that this resolution should not be endorsed.

2. That the City Solicitor be authorized and directed to prepare a by-law to amend Subsection 8 of Section 39 and Subsection 5 of Section 40 of Procedural By-law No. 82-203 so as to provide that **Reports concerning Lloyd D. Jackson Square** be forwarded to the Finance Committee in future except for reports concerning new developments, which will be forwarded to the Planning and Development Committee.

Explanatory Note - In the past, the Co-ordinator for Lloyd D. Jackson Square has reported on all matters to the Planning and Development Committee. Many of these reports now have to do with maintenance and repair contract which should be dealt with by the Finance Committee, and only items regarding new developments (the Arena/Trade Centre and Hilton Hotel) should be taken to the Planning and Development Committee.

3. That Standing Committees be required to submit to City Council negative recommendations which, if they had been positive recommendations, would require the approval of City Council.

Explanatory Note - This procedure will ensure that City Council will deal with all matters which should be dealt with by City Council - however, it will not interfere with Standing Committee decisions which would not otherwise require the approval of City Council.

4. That the Minister of Municipal Affairs and Housing be requested to amend the Municipal Act to allow municipalities **to permit fences upon the road allowance** adjacent to industrial, institutional, commercial and residential lands so as to indemnify and save the municipality harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss. The Committee also recommends that no further action be taken at this time in respect of the removal of fence encroachments in the City of Hamilton until the request for amending legislation has been considered by the Provincial Government.
5. That approval be given to the recommendations of The Tax Appeal Review Committee for tax adjustments in respect of realty and business taxes in the total amount of \$95,210.24, as set out in Schedules "A" and "B" which are available for inspection from the City Clerk.
6. That leave be granted to introduce the following Bills:-
 - (a) Bill E-8 - By-law to amend By-law No. 82-203 respecting Access to Meetings of Local Boards
 - (b) Bill E-9 - By-law to confirm proceedings of the Council of the Corporation of the City of Hamilton

Respectfully submitted

JDT:bg
February 15, 1983

Alderman V. J. Agro
Chairman

REPORT OF THE PERSONNEL COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:-

The Personnel Committee presents its **FOURTH** Report and respectfully recommends:

1. Approval of the acquisition of approximately 1 acre of land, measuring 54.26m (178 feet) by a depth of 74.66m (244.90 feet), located on the east side of Quigley Road at the intersection of Albright Road, from DiCenzo Construction Limited, for the sum of \$185,130.00. Option to be accepted on or before March 1, 1983. Cash on closing of sale which shall be on or before April 21, 1983. The cost of this acquisition is to be charged to Account No. 0280-02. Required for municipal purposes - Fire Station site.

NOTE: This is a re-affirmation of a recommendation previously submitted to City Council which was referred back by City Council at its meeting held December 14, 1982.

2. That Item 2 of the Thirteenth Report of the Personnel Committee, adopted by City Council on September 29, 1981, be rescinded and the following substituted therefor:

That the City enter into a contract with King Seagrave (1982) Inc. for the Supply and delivery of one (1) 85' Articulated Two Boom Platform Fire Truck with trade-in, in accordance with specifications as contained in original contract dated September 30, 1981, between King Seagrave Limited and the City, as follows:

Total Selling Price	\$317,433.00
Less Trade-In Allowance	<u>9,000.00</u>
Net Price Less Trade-In	308,433.00
Plus Licence Fees	<u>2.00</u>
Total Net Selling Price	308,435.00
Plus Cost of 100% Performance Bond (to be provided by King Seagrave 1982 Inc., satisfactory to the City Solicitor and previous bonding company)	<u>3,090.00</u>
TOTAL	<u>\$311,525.00</u>

Payment to be made upon final acceptance by City.
Delivery 7 - 10 days following receipt of order.
Contract will be subject to King Seagrave (1982) Inc.
providing,

- (i) Letter of Indemnity, satisfactory to the City Solicitor, from Bank of Commerce, and
- (ii) Release, satisfactory to the City Solicitor, from previous September 30, 1981 agreement with King Seagrave Limited.

NOTE: For the information of Council, the original company, King Seagrave Limited went into receivership. The Bonding Company which provided a bond pursuant to the original contract has agreed to pay to the City the amount of \$30,846.00 advanced by the City to the original King Seagrave Limited, plus the cost of the bond, in order to make up the City's shortfall.

3. Approval of the awarding of the following contracts:-

(a) **AERO MODE LTD., Lachine, Quebec**

Supply and delivery of Uniform Clothing for
Hamilton Fire Department in accordance with
specifications issued by the Director of
Purchases and Vendor's Tender for the total
sum of \$47,451.00

Ontario Sales Tax Extra.

NOTE: Lowest of 5 tenders received.

(b) **EMPIRE SHIRT LTD., c/o L. P. Evenson & Co., Toronto, Ontario**

Supply and delivery of Uniform and Dress Shirts
for Hamilton Fire Department in accordance with
specifications issued by the Director of Purchases
and Vendor's Tender for the sum of \$16,170.92

Ontario Sales Tax Extra.

NOTE: Lowest of 5 tenders received.

- 4. That the Mayor, the City Clerk and the Chief Administrative Officer be authorized to execute an agreement between The Corporation of the City of Hamilton and the Hamilton Professional Firefighters Association, Local 288, in accordance with the Memorandum of Agreement, as outlined hereafter, which was ratified by the membership of Local 288 on February 1, 1983.

This Memorandum of Agreement made this day of , 1983

BETWEEN THE NEGOTIATING COMMITTEES OF:

THE CORPORATION OF THE CITY OF HAMILTON

- and -

**THE BARGAINING COMMITTEE OF THE HAMILTON
FIREFIGHTERS ASSOCIATION, LOCAL 288,
INTERNATIONAL ASSOCIATION OF FIREFIGHTERS**

- I. The parties herein agree to the terms of the Memorandum as constituting full settlement of all matters at issue between the parties.
- II. The undersigned representatives of the parties agree to recommend unanimous acceptance of all the terms of this Memorandum to their respective principals.
- III. The parties herein agree that the term of the Collective Agreement shall be January 1, 1983 to December 31, 1983.
- IV. The parties herein agree that the said Collective Agreement shall include the terms of the Collective Agreement covering the period from January 1, 1981 to December 31, 1982, dated May 18, 1982, together with the following amendments and provisions.
- V. The Collective Agreement shall be amended in accordance with the following and such amendments shall become effective upon ratification by both parties whose proper officers have appended their signatures hereto, save and except where this Memorandum of Agreement specifically provides otherwise.

The following are the amendments referred to in Item V above.

Schedule "A"

- (1) All rates in Schedule "A" of the Collective Agreement between the parties that are effective January 1, 1982 shall be increased by 5% effective January 1, 1983.
- (2) That the rate of pay for the position of Executive Officer shall be set at \$46,877.09 per annum effective January 1, 1983, and further, the eligibility for promotion into that rank shall be restricted to those employees presently holding the rank of Assistant Deputy Chief for a period of no less than (two) 2 years.
- (3) Should the legislation of Bill 179 be altered between January 1, 1983 and December 31, 1983 to allow for an increase higher than 5%, Local 288 reserves the right to re-open the contract and negotiate for the higher rate.

ENTERED INTO THIS

day of

, 1983 on BEHALF OF:

THE CORPORATION OF THE
CITY OF HAMILTON

THE HAMILTON PROFESSIONAL
FIREFIGHTERS ASSOCIATION, LOCAL 288,
INTERNATIONAL ASSOCIATION OF
FIREFIGHTERS

5. Approval of the appointments and terminations in permanent and temporary service with The Corporation to February 16, 1983 as set out on the list appended hereto.
6. That the City of Hamilton endorse the Ontario Municipal Management Development Board and pay the fee schedule of \$1,500.00 for 1983.

The schedule is based on a \$50.00 basic fee, plus \$1.00 for each of the first 1000 full-time employees and 50¢ for each full-time employee thereafter. The 1900 employees considered in this calculation include all Civic Departments.

It is further recommended that the fee of \$1,500.00 be charged to Account No. 0378-2798, Unclassified General.

NOTE: The Institute of Municipal Management is the only professional development programme devised purely for managers in all municipal departments. The Management Board is made up of representatives of the 12 municipal professional associations including the Association of Municipalities of Ontario, plus Metro Toronto, five members at large from Universities and Colleges and the Ministry of Municipal Affairs and Housing. There is a full-time staff of three. In 1979 the Ministry provided 80% of the total budget and have decreased the amount to 58% of the 1982 budget. The funding was given annually on the understanding it would be made available for a 4 year period only, consequently the Management Board is requesting all Municipalities in Ontario to pay the fee schedule that is stated above, anticipating this revenue will offset the funding that was previously provided by the Ministry.

RESPECTFULLY SUBMITTED,

ALDERMAN P. COWELL,
CHAIRMAN.

February 16, 1983.

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN PERMANENT SERVICE

REFERRED TO IN SECTION 5
OF THE FOURTH REPORT OF
THE PERSONNEL COMMITTEE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Richard Kendall	Crew Chief	Fire	To Comply with Transport Canada	C-8	\$34,919.20 per annum	Jan. 3/83
Miss Patricia Lee	Sales Representative	Convention Centre	Additional Staff as approved by Con. Centre Board - November 30/82	CC18	\$20,800.00 per annum	Feb. 7/83

THE CORPORATION OF THE CITY OF HALLOW

TERMINATIONS FROM PERMANENT SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Miss Mary Skinner	Head Historical Interpreter	Dundurn Castle Division of Culture and Recreation	resignation	5 months	Jan. 28/83

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Miss Carolyn Bishop	General Assistant (temporary)	Dundurn Castle Division of Culture and Recreation	replacement for Linda Gubbins - transferred	n/a	\$4.290 per hour	Jan. 29/83
Mrs. Jennifer Falla	Stenographer II (temporary)	Treasury	replacement for Jane Graham - temporarily promoted	E-4	\$301.18 per week	Jan. 17/83
Mr. Neil Freckleton	Monitor (temporary)	Culture and Recreation	seasonal staff	n/a	\$3.500 per hour	Jan. 17/83
Mrs. Lee Goldsmith	Stenographer III (temporary)	Treasury	replacement for Jennifer Falla - temporarily promoted	E-3	\$283.29 per week	Jan. 17/83
Mr. Ralph Iles	Caretaker (temporary)	Property Mtce. Division of Real Estate	replacement for Jack Wooldridge - retired	B-2	\$304.45 per week	Feb. 3/83
Mrs. Valerie Mitchell	Typist Clerk II (temporary)	Treasury	replacement for Jacquelyn Settle - temporarily promoted	E-2	\$275.73 per week	Jan. 25/83
Mr. Rudy Suckell	Cashier (temp./part-time)	Parking Authority	temporary additional staff	n/a	\$3.550 per hour	Feb. 4/83
Mr. Robert Brydson	Checker (temp./part-time)	Culture and Recreation	replacement for Raymond Plouffe - terminated	n/a	\$3.500 per hour	Jan. 19/83
Mr. Steven Jackson	Checker (temp./part-time)	Culture and Recreation	seasonal staff	n/a	\$3.500 per hour	Dec. 22/82
Mr. Stuart Simpson	Checker (temp./part-time)	Culture and Recreation	seasonal staff	n/a	\$3.500 per hour	Jan. 22/83

February 16, 1983

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Ms. Diane Ellis	Community Sports Organizer (temp./part-time)	Culture and Recreation	seasonal staff	n/a	\$3.500 per hour	Feb. 3/83
Miss Faith Johns	Community Sports Organizer (temp./part-time)	Culture and Recreation	replacement for Yvan Poulin - resigned	n/a	\$3.500 per hour	Jan. 24/83
Mr. Angus-Mitch Warner	Community Sports Organizer (temp./part-time)	Culture and Recreation	seasonal staff	n/a	\$3.500 per hour	Oct. 25/82

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mrs. Anna Bradford-Porter	General Assistant (temporary)	Dundurn Castle Division of Culture and Recreation	resignation	11 months	Jan. 13/83
Mr. Alexander German	City Architect (temporary)	City Architect's	termination	3 years & 7 1/2 months (temporary service only)	Jan. 14/83
Mrs. Donna Lambourne	Cleaner (temporary)	Property Mtce. Division of Real Estate	termination	5 months	Feb. 4/83
Miss Josie Molnar	Checker (temp./part-time)	Culture and Recreation	termination	3 1/2 months	Jan. 16/83
Mr. Raymond Plouffe	Checker (temp./part-time)	Culture and Recreation	termination	3 1/2 months	Jan. 16/83
Mr. Brad Thompson	Checker (temp./part-time)	Culture and Recreation	termination	3 1/2 months	Jan. 16/83
Miss Lucy Picot	Community Sports Organizer (temp./part-time)	Culture and Recreation	resignation	4 months	Jan. 27/83
Mr. Yvan Poulin	Community Sports Organizer (temp./part-time)	Culture and Recreation	resignation	1 1/2 months	Jan. 22/83
Miss Suzanne Wallman	Historical Interpreter (temp./part-time)	Dundurn Castle Division of Culture and Recreation	resignation	8 months	Jan. 22/83
Mrs. Yolanda Bowerbank	Red Cross Instructor (temp./part-time)	Culture and Recreation	resignation	3 months	Dec. 22/82

February 16, 1983

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Miss Vicki-Lee Hardie	Red Cross Instructor (temp./part-time)	Culture and Recreation	resignation	3 months	Dec. 31/82

**REPORT OF THE NOMINATING COMMITTEE
TO RECOMMEND APPOINTMENTS TO VARIOUS BOARDS AND COMMITTEES**

To the Council of The Corporation of the City of Hamilton.

Members of Council:-

The Nominating Committee presents its **FIFTH** Report and respectfully recommends the following appointment:-

1. HAMILTON HYDRO-ELECTRIC COMMISSION

Term of Office
Expires November 30, 1985

2. That leave be granted to introduce the following bill:

- (a) G-3 - By-law to Appoint Persons to Various Boards and Committees.

RESPECTFULLY SUBMITTED,

MAYOR ROBERT M. MORROW,
CHAIRMAN

February 22, 1983.

REPORT OF THE SPECIAL HARBOUR COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Special Harbour Committee presents its FIRST Report and respectfully recommends:

1. That the Appraisal Report on the Lax property situated in the west end of Hamilton Harbour, prepared by Humphreys-McCaw Inc. for Mr. W. I. C. Binnie, Q.C., the Solicitor engaged by the City in conjunction with dealings with the Hamilton Harbour Commissioners and dated July 12, 1982, be released and made available to the Hamilton Harbour Commissioners.
2. That the letter forwarding the Report to the Hamilton Harbour Commissioners point out the fact that the Report must be read in its entirety to be properly understood.

For the information of members of Council the Special Harbour Committee will be discussing this report, in detail, at its next regular meeting.

Respectfully submitted,

Alderman H. Merling,
Chairman.

February 11, 1983.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 83-

To Authorize:

Urb/Mun Agenda
Bulletin Board

FEB 21 1983

1. The construction of local improvements on an alleyway in the block bounded by Sherman, Rosemont, Barnesdale and Somerset Avenues, as described in Schedule "A";
2. The special assessment to pay a portion of the cost, upon petition made under Section 11 of The Local Improvement Act;
3. The preparation of plans, specifications and reports and the supervision of the construction by the Regional Commissioner of Engineering.

WHEREAS a petition has been received to construct as local improvements the works hereinafter described;

AND WHEREAS the City Clerk has certified as to the sufficiency of the said petition;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 5 of the 19th Report of the Finance Committee and Item 18 of the 17th Report of the Transport and Environment Committee, both on October 26, 1982;

AND WHEREAS the Council has procured to be made reports, estimates and statements for the undertaking of the said works;

AND WHEREAS the Ontario Municipal Board did on the 12th day of January, 1983 issue Order No. E 821497, approving the application of The Corporation of the City of Hamilton for:

- (a) the construction of a concrete alleyway in the block bounded by Sherman, Rosemont, Barnesdale and Somerset Avenues, and
- (b) the issue by The Regional Municipality of Hamilton-Wentworth of debentures in the sum of \$42,000.00 for the purpose.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$42,000.00.
2. The share or portion of the estimated cost of the works in the amount of \$13,770.00 to be borne by the lands abutting directly on the works and the estimated cost per metre to be rated shall be as set out in Schedule "A", provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.
3. Pending payment of the share or portion of the total cost referred to in section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth:
 - (a) to the extent sufficient to provide an amount not exceeding \$42,000.00, and
 - (b) repayable over a term not exceeding fifteen (15) years, chargeable to The Corporation of the City of Hamilton.

4. The Regional Commissioner of Engineering is hereby authorized to:

- (a) prepare all necessary plans, specifications and reports required for the construction of the works, and
- (b) supervise construction of the works.

5. The Mayor and City Clerk are hereby authorized to execute on behalf of The Corporation of the City of Hamilton all contracts necessary for the construction of the works.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1982) 19 R.F.C. 5, October 26

(1982) 17 R.T.E.C. 18, October 26

SCHEDULE "A"

The construction of a CONCRETE ALLEYWAY in the block bounded by Sherman, Rosemont, Barnesdale and Somerset Avenues at the costs and charges not exceeding those set out below:

City's Share	\$28,230.00
Owners' Share	<u>13,770.00</u>
	<u>\$42,000.00</u>

Estimated Cost per metre frontage: \$38.00

Fifteen (15) annual instalments

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 25 (Parking Time Limits) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966, is hereby amended by adding thereto the following sub-section, namely:-

- "15. Two Hour Limit, between the hours of 7 o'clock in the forenoon and 5 o'clock in the afternoon on the following streets or parts of streets, excepting such parts of same where parking or stopping is prohibited.

<u>STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
MacNab	East	Colbourne to Mulberry".

2. Schedule 25A (Parking Time Limits) is hereby amended by deleting from Section 5 (One Hour Limit) the following items, namely:-

"Sanders	South	West Park to Binkley
Sanders	North	Daleview to Norfolk".

and by adding thereto the following items, namely:-

"Sanders	South	Westbourne to Binkley
Sanders	North	Binkley to Norfolk".

3. Schedule 26 (No Parking Areas) is hereby amended by adding to Section A (No Parking Anytime) the following item, namely:-

"Clarence	Both	Queen to Easterly End".
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and by deleting therefrom the following item, namely:-

"Smith	West	From 140 ft. south of Barton to 115 ft. southerly".
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PASSED this day of , A.D. 1983.

City Clerk

Mayor

(1983) 5 R.T.E.C., February 22

By-law No. 83 -

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:-

Traffic

1. Schedule 10 (Stops at Intersections) of By-law 66-100 To Regulate Traffic passed on the 29th day of March 1966, is hereby amended by adding thereto the following item, namely:-

"Afton"

Westbound

Norway".

PASSED this

day of

, A.D. 1983.

City Clerk

Mayor

(1983) 5 R.T.E.C., February 22

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 60 WEST AVENUE SOUTH

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "E" (Multiple Dwellings, Lodges, Clubs, etc.) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following special requirements that,

- (a) section 11(1)(iiib) of By-law No. 6593 shall not apply except for the accommodation of not more than twelve residents of at least 60 years of age who cannot be cared for or live at home without supervision or assistance;
- (b) section 11(7) of By-law No. 6593 shall not apply;
- (c) not less than four parking spaces shall be provided and maintained on the land on which the residential care facility is situate.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E" District provisions, as varied by the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-810".

4. Sheet No. E-14 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-810".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this

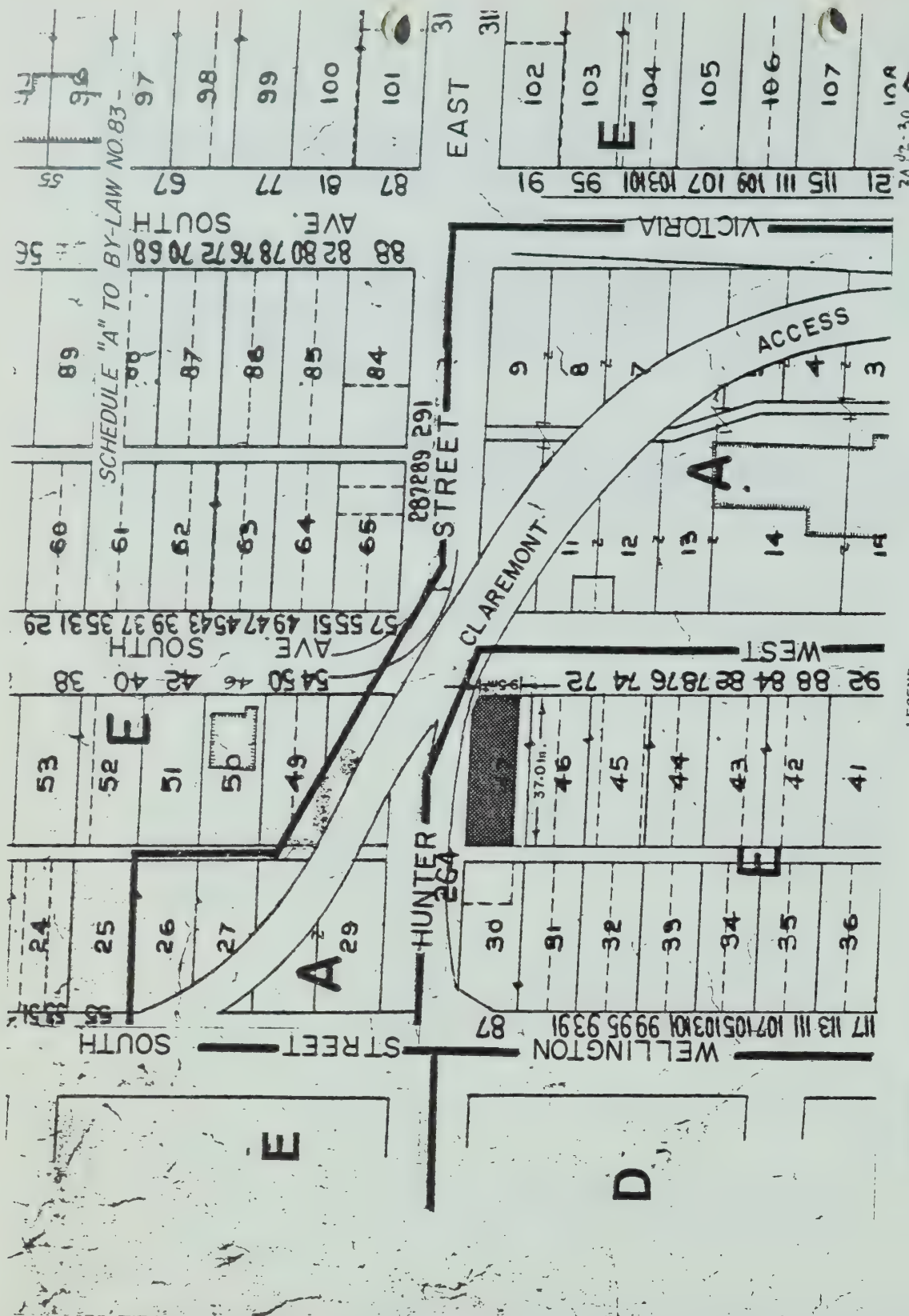
day of

A.D. 1983.

City Clerk

Mayor

(1983) 2 R.P.D.C. 5, January 11
F. M. Seymour and G. J. Seymour, Owners
ZA-82-30



LEGEND

Lands on part of Sheet No. E-14 of the Zoning District Maps to be regulated by By-law No. 83-

Bill No. D-28

This is Schedule "A" to By-law No. 83- passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 401 BARTON STREET EAST

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "H" (Community Shopping and Commercial, etc.) district provisions applicable to the land the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirement that,

- (a) notwithstanding sections 14(1), 14(3) (ii) (a) and 14(4) of By-law No. 6593, two dwelling units shall be permitted within the existing building.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, as varied by the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-808".

4. Sheet No. E-12 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-808".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

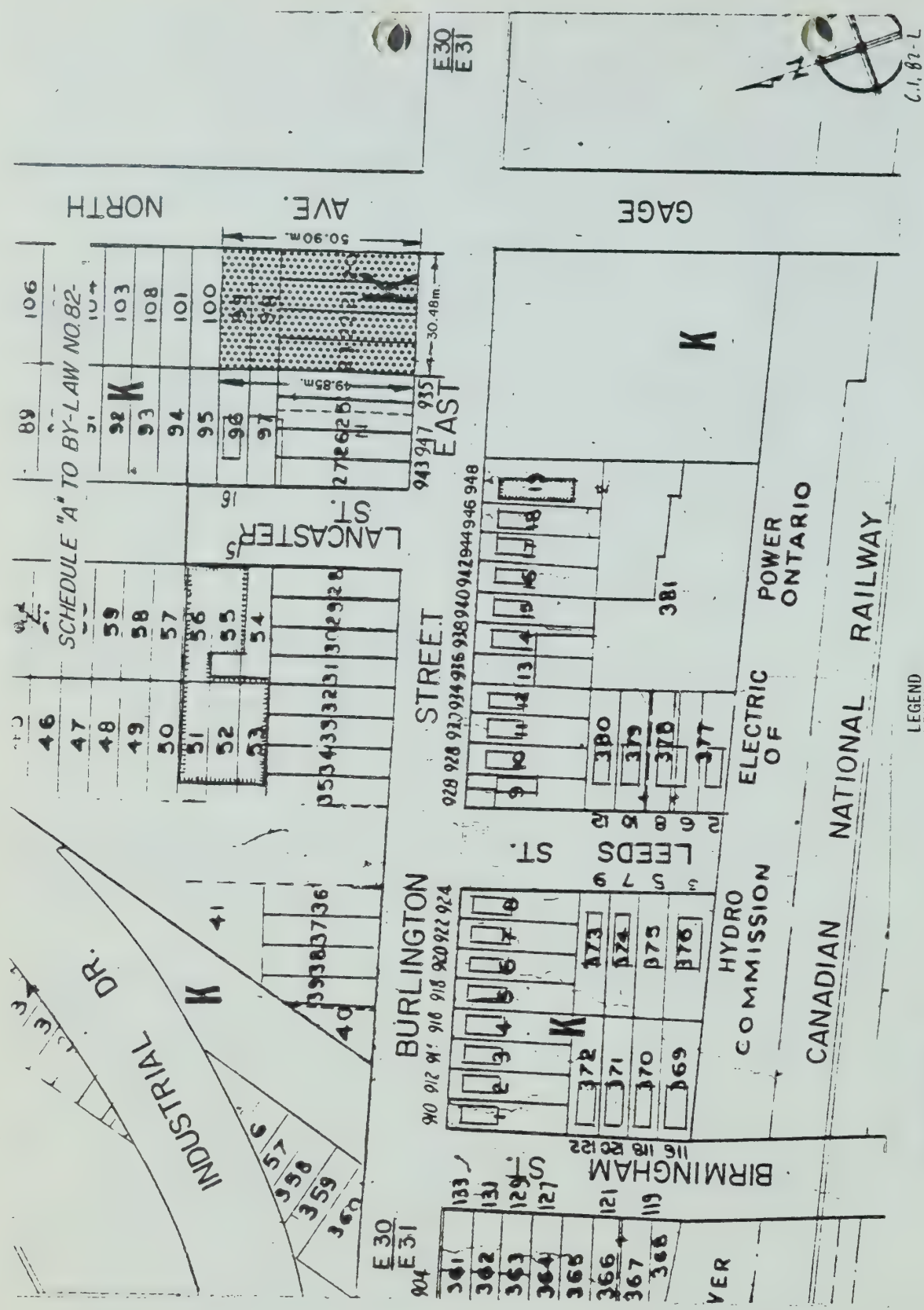
6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 2 R.P.D.C. 3, January 11
Franco Augustino, Owner
ZA-82-45



This is Schedule "A" to By-law No. _____ passed the _____ day of _____

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE WEST SIDE OF GARTH STREET,
NORTH OF SCENIC DRIVE

WHEREAS it is intended to change the zoning of the land hereinafter referred to;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-25 of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821), is amended,

- (a) by changing from "B" (Suburban Agriculture and Residential, etc.) district to "B-1" (Suburban Agriculture and Residential, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

3. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 3 R.P.D.C. 1, January 25
Balfours Limited, Owner
ZA-82-48

B



Lands on part of Sheet No. W-25 of the Zoning District Maps to be re-zoned from "B" (Suburban Agriculture and Residential, etc.) District to "B1" (Suburban Agriculture and Residential, etc.) District

J-14

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Delegate:

Council's Power or Authority
To the Planning and Development Committee

And To Implement:

SITE PLAN CONTROL

WHEREAS section 40(10)(b) of The Planning Act, R.S.O. 1980, Chapter 379 provides for the delegation of council's power or authority to the Planning and Development Committee in respect of approval of plans and drawings under section 10(4), conditions of approval of plans under section 40(4,7) of the said Act;

AND WHEREAS sections 40(7) and 40(8) of the said Act and section 330 of The Municipal Act, R.S.O. 1980, Chapter 332 provide for enforcement as therein set out;

AND WHEREAS it is desirable to delegate council's power or authority and to provide for enforcement as aforesaid.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. In this by-law,
 - (a) "city" means the City of Hamilton;
 - (b) "committee" means the Planning and Development Committee of the council;
 - (c) "council" means the council of the city;
 - (d) "owner" includes any person whose land is designated as a site plan control area, or whose land is in a site plan control area.
2. The following powers or authority are hereby delegated to the committee:
 1. To approve for each development in a site plan control area, one or both of the following, as the committee may determine,
 - (a) Plans, in accordance with paragraph 1 of subsection 4 of section 40 of the said Act;
 - (b) Drawings, in accordance with paragraph 2 of subsection 4 of section 40 of the said Act.
 2. As a condition of the approval of plans and drawings referred to in paragraph 1 of this section, to require the owner of each development in a site plan control area,

- (a) to provide to the satisfaction of the committee and at no expense to the city any or all of the facilities and works mentioned in clause (a) of subsection 6 of section 40 of the said Act;
 - (b) to maintain to the satisfaction of the committee at the sole risk and expense of the owner any or all of the facilities or works mentioned in paragraphs 2, 3, 4, 5, 6, 7, 8, and 9 of clause (a) of subsection 6 of section 40 of the said Act including removal of snow from access ramps and driveways, parking and loading areas and walkways;
 - (c) to enter into one or more agreements with the city in accordance with clause (c) of subsection 6 of section 40 of the said Act.
3. To require owners to register the agreements referred to in clause (c) of paragraph 2 of this section, against the land.

3. Where no facilities or works have been provided in whole or in part or where a building permit has not been issued within two years from the date of the approval of the plans or drawings under paragraph 1 of section 2, the approval by the committee shall cease and terminate and shall be of no force and effect.

4. The Building Commissioner is hereby authorized upon application for and after issue of a building permit under By-law No. 76-119, to ascertain compliance with,

- (a) the plans and drawings approved by the committee;
- (b) the facilities, works or matters required by the committee,

and to make recommendations to the owner for the bringing of the facilities and works into compliance within the period of time specified in the recommendation.

5. (1) Every owner respecting whose land the committee has required the provision of any or all of the facilities or works mentioned in clause (a) of subsection 6 of section 40 of The Planning Act, shall provide the facilities, works or matters required to be provided.

(2) Where any building is occupied, the facilities and works referred to in subsection 1 shall be fully completed to the satisfaction of the Building Commissioner, within one year from the date of the first occupancy.

(3) Every owner respecting whose land the committee has required the maintenance of any or all of the facilities or works mentioned in paragraphs 2, 3, 4, 5, 6, 7, 8 and 9 of

clause (a) of subsection 6 of section 40 of the said Act, shall maintain the facilities or works required to be maintained, including the removal of snow from access ramps and driveways, parking and loading areas and walkways.

6. Every owner to whom a recommendation has been made under section 4 shall bring the facilities and works into compliance within the period of time specified in the recommendation.

7. Every owner who contravenes subsection 1 or subsection 2 of section 5 is guilty of an offence and on conviction is liable to a fine of not more than \$2,000.00, exclusive of costs.

8. Every owner who contravenes section 6 is guilty of an offence and on conviction is liable to a fine of not more than \$2,000.00, exclusive of costs.

9. (1) Where the owner of land is in default of,

- (a) providing each of the facilities or works referred to in subsection 1 of section 5 as required by the committee; or
- (b) maintaining each of the facilities or works referred to in subsection 2 of section 5 as required by the committee, including removal of snow from access ramps and driveways, parking and loading areas and walkways; or
- (c) complying with each of the requirements made by the committee under an agreement entered into under clause (c) of subsection 6 of section 40 of The Planning Act,

the matter or thing required to be done may be done by the City at the expense of the owner.

(2) The expenses incurred in doing each matter or thing may be recovered by the city by action or may be recovered in like manner as municipal taxes.

10. By-law No. 79-276, passed on the 25th day of September, 1979, is repealed.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1979) 31 R.P.D.C. 1 (iii,iv), September 25
(1982) 20 R.P.D.C. 12(c), October 26

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

PARKING AND LOADING

WHEREAS it is intended to establish new parking and loading requirements applicable to all zoning districts in By-law No. 6593;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subclauses (iv)(a), (via) and (vid) of clause H of subsection 2 of section 2 of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821), are relettered "(ivc)", "(vib)" and "(vic)", respectively.
2. Clause H of subsection 2 of section 2 of By-law No. 6593 is amended by adding thereto the following subclauses:
 - (iva) "mutual driveway" means an ingress or egress that is common to two or more owners of abutting lands as a right of way registered against the title of the lands;
 - (ivb) "parallel parking space" means a parking space having a parking angle of less than twenty-five degrees;
 - (ivd) "parking area" means the space occupied by one or more required parking spaces and manoeuvring spaces but does not include any space occupied by an access driveway;
 - (via) "planting strip" means an area of land growing ornamental shrubs or trees or both, suitable to the soil and climatic conditions of the area of land for the sole purpose of providing a visual barrier or buffer;
 - (vid) "shopping centre" means a building or buildings comprised of retail stores, commercial business establishments or offices conceived, designed, developed and managed by,

- (a) the owner of the land or premises on which the stores, establishments or offices are located, or
- (b) a group of owners or tenants of the land or premises on which the stores, establishments or offices are located, acting in collaboration,

and operating on a single lot in a cluster or mall-type pattern in which the use of off-street parking and other joint facilities are provided for their mutual benefit.

3. Subclause (v) of clause H of subsection 2 of section 2 of the said by-law is repealed and the following substituted therefor:

- (v) "parking space" means a space enclosed in a principle building or in an accessory building or unenclosed for the parking of a vehicle and having manoeuvring space and one or more access driveways appurtenant thereto with ingress into and egress from a highway.

4. (1) Subclause (xa) of clause J of subsection 2 of section 2 of the said by-law is relettered "(xb)".

(2) Paragraph (c) of subclause (xb) of clause J of subsection 2 of section 2 of the said by-law is amended by adding at the end thereof "and may include a planting strip".

5. Clause J of subsection 2 of section 2 of the said by-law is amended by adding thereto the following clauses:

- (iia) "commercial motor vehicle" means a motor vehicle having permanently attached thereto a truck or delivery body and includes an ambulance, hearse, casket wagon, fire apparatus, bus or tractor used for hauling purposes on the highways;
- (xa) "highway" includes a common and public highway, street, avenue, alley, parkway, driveway, square, place, bridge, viaduct or trestle, designed and intended for, or used by, the general public for the passage of vehicles;
- (xix) "motor vehicle" includes an automobile, motorcycle, motor assisted bicycle unless otherwise indicated in The Highway Traffic Act, and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of electric or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine within the meaning of The Highway Traffic Act;

- (xixb) "park" or "parking" means the standing or leaving of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in the unloading of merchandise or passengers;
- (xixc) "parking angle" means the acute angle measured between the longitudinal centreline of a parking space and the centreline of the abutting manoeuvring space, aisle or alley;
- (xxiva) "trailer" means any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, notwithstanding that such vehicle is jacked up.
- (xxivb) "vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or cars of electric or steam railways running only upon rails;

6. Subsections numbered 1 of each of the sections numbered 7, 7A, 8, 8A, 8B, 9, 10, 10A, 10B, 10C, 11, 11A, 11B, 11C, 12, 12A, 13, 13A, 13B, 13C, 13D, 14, 14A, 15, 15A, 16, 16A, 16B, 17, 17A, 17C, subsections numbered 2 of each of the sections numbered 10D, 10E, 10F, and subsection numbered 3 of section 15B, are each amended by inserting after "18" in each of the subsections, "18A", so that the first line of each of the subsections shall read in part, as follows:

- (1) Subject to the provisions of sections 3, 18, 18A, and 19, in a

7. Subsections 5 and 6 of section 4 of the said by-law are repealed.

8. Clause (viii) of subsection 1 of section 10 of the said by-law is amended by striking out at the end thereof, "and has at least two parking spaces thereon".

9. Subsection 5 of section 10A of the said by-law is amended by striking out at the end thereof, "and where a side or rear yard in a DE District abuts on any land in a residential district and such side or rear yard is used for parking spaces, manoeuvring spaces or access driveways, part of such landscaped area shall include a 1.5 metre planting strip between such parking spaces, manoeuvring spaces and access driveways and such abutting residential lands".

10. (1) Clause (vii) of subsection 1 of section 10B of the said by-law is amended by striking out at the end thereof, "and that an additional parking space above the number of two is provided on the lot for every four residents or fraction thereof, above the number of six residents".

(2) Subsection 6 of section 10B of the said by-law is amended by striking out at the end thereof, "and where a rear yard in a DE-2 District abuts on any land in a residential district and such rear yard is used for parking spaces, manoeuvring spaces or access driveway, part of such landscaped area shall include a planting strip at least 1.5 metres wide between such parking spaces, manoeuvring spaces and access driveways and such abutting residential lands".

11. (1) Clause (vii) of subsection 1 of section 10C of the said by-law is amended by striking out at the end thereof, "and that an additional parking space above the number of two is provided on the lot for every four residents or fraction thereof above the number of six residents".

(2) Subsection 6 of section 10C of the said by-law is amended by striking out at the end thereof, "and where a rear yard in a DE-3 District abuts on any land in a residential district and such rear yard is used for parking spaces, manoeuvring spaces or access driveways, part of such landscaped area shall include a planting strip at least 1.5 metres wide between such parking spaces, manoeuvring spaces and access driveways and such abutting residential lands".

12. Subsections 12, 13, 14, and 15 of section 10D of the said by-law are repealed.

13. Subsections 12, 13, 14, and 15 of section 10E of the said by-law are repealed.

14. Subsection 7 of section 10F of the said by-law is repealed.

15. (1) Clause (va) of subsection 1 of section 11 of the said by-law is amended by striking out at the end thereof, "and that one additional parking space above the number of two is provided on the lot for every four residents or fraction thereof, above the number of six residents".

(2) Subclause (e) of clause (x) of subsection 1 of section 11 of the said by-law is repealed.

16. Subclause (e) of clause (ii) of subsection 1 of section 11A of the said by-law is repealed.

17. Clause (vii) of subsection 1 of section 11B of the said by-law is amended by striking out at the end thereof, "and that one additional parking space above the number of two is provided on the lot for every four residents or fraction thereof, above the number of six residents".

18. Clause (d) of subsection 3 of section 12A of the said by-law is repealed.

19. (1) Subsection 6 of section 13A of the said by-law is repealed.

(2) Subsection 8 of section 13A of the said by-law is amended by striking out "building coverage," in the first line and inserting after "13A" in the first line, "and section 18A for".

20. (1) Subsection 6 of section 13B of the said by-law is repealed.

(2) Subsection 8 of section 13B of the said by-law is amended,

(a) by striking out "building coverage" in the first line, and inserting after "13B" in the first line, "and section 18A for";

(b) by striking out the numbers "(ii), (iii) and (iv)" in the last line and inserting in lieu thereof "(g), (h) and (j)".

21. Subsection 1 of section 13C of the said by-law is amended by inserting at the beginning thereof, "Notwithstanding section 18A".

22. Subsection 6 of section 13D of the said by-law is repealed.

23. (1) Clause (b) of subsection 1 of section 14A of the said by-law is amended by striking out at the end thereof, "and further provided that one off-street parking space will be provided for every hotel bedroom containing such facilities".

(2) Subsection 5 of section 14A of the said by-law is repealed.

24. Clause (ii) of subsection 1 of section 15A of the said by-law is amended by striking out at the end thereof, "and that one additional parking space above the number of two is provided on the lot for every four residents or fraction thereof, above the number of six residents".

25. Subsections 24, 25, 26, 28, 29, 30, 31, 32, 33, 34 and 35 of section 15B of the said by-law are repealed.

26. Subsection 5 of section 16A of the said by-law is amended by inserting at the beginning thereof "For industrial uses".

27. Subsection 5 of section 17A of the said by-law is amended by inserting after "space" in the first line "for industrial uses".

28. (1) Clauses (b), (c), and (d) of subsection 19 of section 17C of the said by-law are repealed.

(2) Subsection 21 of section 17C of the said by-law is amended by inserting at the end of the third line, "for industrial uses".

29. (1) Clauses (iv), (iva), and (ivb) of subsection 3 of section 18 of the said by-law are repealed.

(2) Subclause (f) of clause (ivc) of subsection 3 of section 18 of the said by-law is amended by striking out,

(a) the first three lines, and

(b) "Provided that" at the beginning of the fourth line, and

(c) "and f" in the fifth line.

(3) Subclause (g) of clause (ivc) of subsection 3 of section 18 of the said by-law is amended by striking out at the end thereof, "and, wherever the surface of the parking area is more than 0.1 metres higher or lower than any adjoining land, a suitable retaining wall shall be installed along the edge of the parking area or along the lot line".

30. Clause (ii) of subsection 6 of section 18 of the said by-law is amended by striking out in the 3rd, 4th, 5th, 6th, 7th and 8th lines, "manufacturing, warehouse, storage, department store, wholesale store, retail store, market, freight or passenger terminal, hotel, hospital or mortuary purposes or for other use similarly involving the frequent shipping, loading or unloading of persons, animals or goods" and inserting in lieu thereof "an industrial use".

31. The said by-law is amended by adding the following thereto:

PARKING AND LOADING REQUIREMENTS

REQUIRED PARKING FOR RESIDENTIAL,
INSTITUTIONAL, PUBLIC AND COMMERCIAL USES

18A. (1) Except as otherwise provided, for every building or structure and use identified in this section, there shall be provided and maintained within each district on the same lot on which one or more buildings are erected, altered, extended or enlarged,

- (a) not less than the number of parking spaces at the ratio mentioned in column 2 for the corresponding use mentioned in paragraphs numbered 1, 2, 3 and 4 of column 1 of Table 1,

TABLE 1

<u>Class of Use</u> <u>(Column 1)</u>	<u>Minimum Number of Required</u> <u>Parking Spaces</u> <u>(Column 2)</u>
<u>1. Residential Uses</u>	
(a) Single family dwelling;	(a) 1 space per class A dwelling unit;
(b) Two-family dwelling;	(b) 1 space per class A dwelling unit;
(c) Three-family dwelling;	(c) 1.33 spaces per class A dwelling unit;
(d) Townhouse dwelling, Maisonette dwelling;	(d) 1.5 spaces per class A dwelling unit;
(e) Street Townhouse dwelling;	(e) 1 space per class A dwelling unit;

- | | |
|-------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (f) Townhouse dwelling, Maisonette dwelling with garage parking space enclosed or attached to each dwelling unit; | (f) 1.3 spaces per dwelling unit of which 1 space shall be covered and attached to or enclosed within each dwelling unit |
| (g) Multiple dwelling; | (g) 1.25 spaces per class A dwelling unit except as follows: <ul style="list-style-type: none"> (i) 0.8 of a space per class A dwelling unit within area "A", shown on schedule "H"; (ii) 1 space per class A dwelling unit within area "B", shown on schedule "H"; |
| (h) Student Residence not located on a campus, containing separate dwelling units for each student; | (h) 1 space per class A dwelling unit; |
| (i) Housekeeping dwelling unit; | (i) 1 space per dwelling unit; |
| (j) Lodging House, Hostel; | (j) 1 space per 2 persons who may be lawfully accommodated; |
| (k) Home for Elderly Persons; | (k) (i) 0.3 of a space per dwelling unit for 100 class A dwelling units or less, and an additional, <ul style="list-style-type: none"> (ii) 0.25 of a space per dwelling unit for each dwelling unit in excess of 100 class A dwelling units; |
| (l) Residential Care Facility, Short-Term Care Facility; | (l) 1 space per 3 persons who may be lawfully accommodated; |
| (m) Hotel, Motel, Motor Hotel, Motor Court | (m) 1 space per guest room or unit except as follows: <ul style="list-style-type: none"> (i) 0 spaces within Area "A" shown on schedule "I". |

2. Institutional Uses

- | | |
|--------------------------------------|-------------------------------------------------------------|
| (a) Children's Residence; | (a) 1 space per 6 persons who may be lawfully accommodated; |
| (b) Nursing Home, Home for the Aged. | (b) 1 space per 3 patient beds. |

Class of Use (Column 1)	Minimum Number of Required Parking Spaces (Column 2)
3. <u>Public Uses</u>	
(a) Art Gallery, Museum, Observatory, Library, Church;	(a) Nil;
(b) School:	
(i) Elementary;	(i) 1.25 spaces per classroom;
(ii) Secondary;	(ii) 1.8 spaces per classroom;
(iii) Secondary - Grade 13 only;	(iii) 2.5 spaces per classroom;
(iv) University, College, Com- mercial, Tech- nical;	(iv) 6 spaces per classroom;
(c) Place of Assembly, Private Club, Lodge, Fraternity House, Sorority House, Labour Union Hall.	(c) 1 space per 6 persons who may be lawfully accommodated.
(d) Public Offices;	(d) 1 space per 31.0 square metres of floor area in excess of 450.0 square metres;
4. <u>Commercial Uses</u>	
(a) Medical Office, inclu- ding Doctor, Dentist, Osteopath, Drugless Practitioner;	(a) 1 space per 19.0 square metres of floor area;
(b) Funeral Home;	(b) 1 space per 23.0 square metres of floor area;
(c) General Office, Med- ical Laboratory;	(c) 1 space per 31.0 square metres of floor area in excess of 450.0 square metres;
(d) Banks and other similar financial institutions;	(d) 1 space per 31.0 square metres of floor area;
(e) Bowling Alley;	(e) 3 spaces per lane;
(f) Tavern, Public House, Beverage Room, Rest- aurant, Theatre, Cinema and any place of assembly for com- mercial use;	(f) 1 space per 6 persons who may be lawfully accommodated;
(g) Warehouse;	(g) 1 space per 115.0 square metres of floor area;

Class of Use
(Column 1)

Minimum Number of Required
Parking Spaces
(Column 2)

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>(i) Sales establishment, leasing establishment, service shop, retail store, shopping centre and any other commercial use not otherwise mentioned in paragraph number 4 of column 1 of Table 1.</p> | <p>(i) 1 space for every 31.0 square metres of floor area for that portion of the floor area between 450.0 square metres up to and including 3,700 square metres and an additional,</p> <p>(i) 1 space for every 17.0 square metres of floor area for that portion of the floor area between 3,700 square metres up to and including 12,800 square metres and an additional,</p> <p>(ii) 1 space for every 20.0 square metres of floor area for that portion of the floor area in excess of 12,800 square metres.</p> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

RESIDENTIAL VISITOR PARKING

- (b) not less than the number of parking spaces exclusively for visitors at the ratio mentioned in column 2 for the corresponding residential use mentioned in column 1 of Table 2, as already included in the minimum number of required parking spaces for residential uses mentioned in Table 1,

TABLE 2

<u>Class of Residential Use</u> <u>(Column 1)</u>	<u>Minimum Number of Required</u> <u>Visitor Parking Spaces</u> <u>(Column 2)</u>
1. Multiple dwellings within area "A", shown on schedule "H".	0.16 of a space per class A dwelling unit.
2. Multiple dwellings within area "B", shown on schedule "H".	0.20 of a space per class A dwelling unit.
3. Multiple dwellings not in areas referred to in paragraphs 1 and 2.	0.25 of a space per class A dwelling unit.
4. Home for Elderly Persons containing,	
(a) 100 dwelling units or less;	(a) 0.12 of a space per class A dwelling unit;
(b) more than 100 dwelling units.	(b) an additional 0.09 of a space for each class A dwelling unit in excess of 100 dwelling units.

<u>Class of Residential Use</u> (Column 1)	<u>Minimum Number of Required Visitor Parking Spaces</u> (Column 2)
5. Townhouse dwelling, Mais- onette dwelling.	0.30 of a space per class A dwelling unit.
6. Three-family dwelling.	0.33 of a space per class A dwelling unit.

MINIMUM REQUIRED LOADING SPACE FOR MULTIPLE DWELLINGS

- (c) where a building is a multiple dwelling containing more than four dwelling units, a minimum number of loading spaces conveniently located for the building having the minimum dimensions mentioned in columns 2 and 3 for the corresponding number of dwelling units mentioned in column 1 of Table 3,

TABLE 3

Number of Dwelling Units (Column 1)	Minimum Number of Required Loading Spaces	
	Minimum Size: Length: 9.0 m. Width: 3.7 m. Height: 4.3 m. (Column 2)	Minimum Size: Length: 18.0 m. Width: 3.7 m. Height: 4.3 m. (Column 3)
1. 5 to 30.	1	Nil
2. Greater than 30 to 100.	Nil	1
3. Greater than 100.	1	1

MINIMUM REQUIRED LOADING SPACE FOR COMMERCIAL USES

- (d) where a building, structure or land is used for commercial purposes and except as provided in clause (e), a minimum number of loading spaces having minimum dimensions mentioned in columns 2 and 3 for the corresponding floor area of the building mentioned in column 1 of Table 4,

TABLE 4

Floor Area of Building Square Metres (Column 1)	Minimum Number of Required Loading Spaces	
	Minimum Size: Length: 9.0 m. Width: 3.7 m. Height: 4.3 m. (Column 2)	Minimum Size: Length: 18.0 m. Width: 3.7 m. Height: 4.3 m. (Column 3)
1. 0 - 450.	0	0
2. Greater than 450 to 900.	1	0

Floor Area of Building Square Metres (Column 1)	Minimum Number of Required Loading Spaces	
	Minimum Size: Length: 9.0 m. Width: 3.7 m. Height: 4.3 m.	Minimum Size: Length: 18.0 m. Width: 3.7 m. Height: 4.3 m.
	(Column 2)	(Column 3)

3. Greater than 900 to 1,850.	0	1
4. Greater than 1,850 to 7,400.	0	2
5. Greater than 7,400 to 13,000.	0	3
6. Each additional 7,400 or part thereof over 13,000.	0	1

MINIMUM REQUIRED LOADING SPACE FOR OFFICE USES

- (e) where a building, structure or land is used exclusively for office purposes, a minimum number of loading spaces having minimum dimensions mentioned in column 2 for the corresponding floor area of the building mentioned in column 1 of Table 5,

TABLE 5

Floor Area of Building Square Metres (Column 1)	Minimum Number of Required Loading Spaces	
	Minimum Size: Length: 9.0 m. Width: 3.7 m. Height: 4.3 m. (Column 2)	
1. 0 - 450.	0	
2. Greater than 450 to 1,850.	1	
3. Greater than 1,850 to 7,400.	2	
4. Greater than 7,400 to 13,000.	3	
5. Each additional 7,400 or part thereof over 13,000.	1	

MINIMUM REQUIRED MANOEUVRING SPACE FOR PARKING AREAS

- (f) manoeuvring space abutting upon and accessory to each required parking space, having an aisle width mentioned in column 2 of Table 6 for each parking space having a parking angle mentioned in column 1,

TABLE 6

Parking Angle Degrees (Column 1)	Required Manoeuvring Space Aisle Width Metres (Column 2)
0	3.7
15	3.7
30	3.7
45	4.5
60	5.5
75	6.0
90	6.0

(2) Where the total commercial floor area of all commercial buildings or structures comprised in an undertaking, work project or scheme exceeds 450.0 square metres, not more than one exemption shall be permitted from the total commercial floor area by deducting a maximum of 450.0 square metres from the total commercial floor area for the purpose of calculating the minimum number of parking spaces required to be provided under paragraph 4 of Table 1 of clause (a) of subsection 1.

(3) Where the uses mentioned in paragraphs 2, 3, and 4 of Table 1 of clause (a) of subsection 1 are located in Areas "A" and "B" shown on schedule "I", the minimum number of parking spaces mentioned in column 2 of Table 7 shall be provided and maintained for the corresponding Area mentioned in column 1,

TABLE 7

Area Shown on Schedule "I" (Column 1)	Minimum Number of Required Parking Spaces (Column 2)
"A"	0
"B"	50% of number of parking spaces required by paragraphs 2, 3, and 4 of Table 1.

(4) Where required parking spaces are provided for schools in accordance with subparagraph (b) of paragraph 3 of Table 1, no additional parking space shall be required to be provided for a place of assembly or recreation centre accessory to the use of the premises for a school.

(5) For the purpose of calculating the minimum number of,

- (a) required parking spaces; and
- (b) required loading spaces,

for commercial uses, "floor area" means the total floor area which is the sum of,

- (c) the area contained within the perimeter of the building at each floor level including storeys below grade; and
 - (d) the area contained in any mezzanine level.
- (6) Where calculations of the number of parking and loading spaces result in a fractional number of parking or loading spaces, the next higher number shall be taken.
- (7) Every required parking space, other than a parallel parking space, shall have dimensions not less than 2.7 metres wide and 6.0 metres long.
- (8) Every parallel parking space shall have dimensions not less than 2.5 metres wide and 6.7 metres long.
- (9) Required parking space, loading space and manoeuvring space shall be provided and maintained only on the lot on which the principle use, building or structure is located.
- (10) Sufficient space additional to required loading space shall be provided and maintained on the same lot on which the parking space is located, in such a manner as to enable each and every parking space to be unobstructed and freely and readily accessible from within the lot, without moving any vehicle on the lot.
- (11) The boundary of every parking area and loading space on a lot containing five or more parking spaces located on the surface of a lot adjoining a residential district shall be fixed,
- (a) not less than 1.5 metres from the adjoining residential district boundary; and
 - (b) not closer to the street line than the minimum depth of the front yard required to be provided in the adjoining residential district for that portion of the parking area within 3.0 metres of a residential district.
- (12) For every parking area and loading space referred to in subsection 11, there shall be provided and maintained,
- (a) between the boundary of the parking area and the residential district, an area landscaped with a planting strip; and
 - (b) between the boundary of the loading area and the residential district, an area landscaped with a planting strip; and
 - (c) a visual barrier along the boundary of the lot abutting the residential district not less than 1.2 metres in height and not greater than 2.0 metres in height.

(13) Where illumination is provided for a parking area or loading space the illumination shall be directed towards or on the lot on which the parking area is located and away from,

- (a) any adjacent use;
- (b) any highway.

(14) Except for single-family dwellings and two-family dwellings erected prior to the 14th day of December, 1971, no part of a required parking area in a residential district shall be located in a required front yard.

(15) The following vehicles shall not be parked in a residential district:

1. A vehicle for which the permit fee under The Highway Traffic Act is based on the weight of the vehicle and load, in excess of 4.0 tonnes; or
2. A vehicle which exceeds 6.5 metres in length; or
3. A vehicle which is equipped with dual wheels or tandem axles; or
4. A vehicle which is a tow truck; or
5. A vehicle which is a bus; or
6. A vehicle which is a bus converted into a mobile home; or
7. A vehicle which is a bus used for commercial purposes.

(16) Each required visitor parking space shall,

- (a) be maintained for the exclusive use of visitors; and
- (b) have a sign appurtenant thereto legibly marked that the parking space is for the exclusive use of visitors; and
- (c) be maintained readily accessible to visitors and free and clear of all obstructions.

(17) Except as provided in subsections 18, 19 and 20, where more than one use is made of land, or a building, or a structure, there shall be provided and maintained a total number of,

- (a) parking spaces, equal to the aggregate number of parking spaces required to be provided for each use;
- (b) loading spaces, equal to the aggregate number of loading spaces required to be provided for each use.

(18) Where more than one use is made of a building constructed as a shopping centre, there shall be provided and maintained a total number of parking spaces not less than the number of parking spaces calculated on the total floor area of the shopping centre without deduction of any amount of parking spaces for each individual use.

(19) Where office space is provided in conjunction with retail commercial uses and the total floor area of such uses exceeds 9,300 square metres, parking for the office use shall be provided and maintained only for that portion of the office floor area that exceeds 20% of the total floor area of the retail commercial uses.

(20) Where a building or structure is comprised of a joint residential use and a commercial use,

- (a) the aggregate of the required residential and commercial parking spaces may be reduced by not more than 20% of either the required residential parking spaces or the required commercial parking spaces whichever is the lesser only if,
 - (i) the number of parking spaces equal to the amount of the reduction are accessible to both the residential and commercial uses at all times; and
 - (ii) not less than 80% of the parking spaces accessory to the residential uses are fully and completely separated from parking spaces accessory to the commercial uses; and
- (b) the number of the required loading spaces for the commercial uses may be reduced by 50% of the required number of loading spaces for the residential uses.

(21) All required parking spaces and manoeuvring spaces shall have access by means of one or more access driveways,

- (a) located on the lot; or
- (b) located partly on the lot in the case of a mutual driveway; or
- (c) by means of a legally established right of way.

(22) All manoeuvring spaces shall be maintained free and clear of all obstructions to permit unobstructed access to and egress from required parking spaces.

(23) Every access driveway shall provide easy access from a highway to the parking area to which the access driveway is accessory.

(24) Every parking area for a use where,

- (a) there are five or less parking spaces shall have not less than one access driveway or one mutual driveway, having a width of at least 2.8 metres;
- (b) there are more than five parking spaces shall have,
 - (i) not less than one access driveway or mutual access driveway, having a width of at least 5.5 metres; or
 - (ii) a separate ingress driveway and a separate egress driveway, each having a width of at least 3.0 metres and each operated in a one way but opposite direction to each other and so designed that vehicles shall not back out onto an adjoining highway.
 - (iii) markings on the surface of the parking area delineating the separate parking spaces; and
 - (iv) bumpers or wheel barriers to prevent physical encroachment beyond the parking area except at the entrance to and exit from the parking area.

(25) Where a townhouse dwelling, maisonette dwelling or multiple dwelling is adjacent to a residential district that does not permit such uses, every access driveway to the townhouse dwelling, maisonette dwelling or multiple dwelling shall be located not less than 3.0 metres from the common boundary between the district in which the townhouse dwelling, maisonette dwelling or multiple dwelling is located and the district that does not permit such uses.

(26) Where a use other than a residential use is adjacent to a residential district, every access driveway providing access to or egress from or both access to and egress from the non-residential use shall be located not less than 3.0 metres from the common boundary with the residential district.

(27) No land in any residential district shall be used for the purpose of vehicular access to or egress from any land in a commercial district or industrial district.

(28) No land in a residential district in which a multiple dwelling is not permitted shall be used for the purpose of vehicular access to or egress from any land used for a multiple dwelling.

(29) Where a parking space for a townhouse dwelling or maisonette dwelling is covered and attached to or enclosed within the dwelling unit, the entrance to the parking space shall be located not less than 6.0 metres from the entrance to the individual access driveway.

(30) Except as provided in subsection 31, a permanent durable and dustless surface that is graded, drained, and paved with concrete or asphalt or a combination of concrete and asphalt shall be provided and maintained for every parking area, manoeuvring space, loading space and access driveway.

(31) A gravel or similar surface or other suitable paving shall be provided and maintained for every parking space and access driveway accessory to a single-family dwelling, a two-family dwelling, and to street townhouse dwellings each having separate access driveways.

(32) Where loading spaces are required to be provided and maintained, the loading spaces shall be provided and maintained in addition to manoeuvring space.

(33) Every loading space shall be provided and maintained to permit commercial motor vehicles to move readily and without hindrance between the loading space and an access driveway.

(34) Wherever a lot is partly in a residential district and partly in a district or districts other than a residential district, parking spaces for any use permitted in residential districts and being in the residential district may be provided in any such adjoining district.

(35) Wherever a lot is partly in a commercial district and partly in an industrial district, parking spaces for any use permitted in commercial districts and being in the commercial district may be provided in any such industrial district.

32. (1) Subsections 12 and 13 of section 18 of By-law No. 6593 are renumbered respectively subsections 36 and 37 of section 18A.

(2) Subclause (i) of clause (a) of paragraph 1 of subsection 36 of section 18A of the said by-law is amended by striking out "in schedule "A" and shown on schedule "A1" to By-law No. 6593", and inserting in lieu thereof "as area "A" shown on schedule-"I"".

(3) Subclause (ii) of clause (a) of paragraph 1 of subsection 36 of section 18A of the said by-law is amended by striking out "in schedule "B" and shown on schedule "B1" to By-law No. 6593", and inserting in lieu thereof "as area "B" shown on schedule "I"".

(4) Subsection 37 of section 18A is amended by,

- (a) striking out the figure "12" in the first and second lines and inserting in lieu thereof "36";
- (b) striking out "the area shown on schedule "G" annexed hereto and forming part of this by-law", and inserting in lieu thereof "areas "A" and "B" shown on schedule "I"".

33. Clause (ix) of section 19 of the said by-law is amended by striking out "for converted dwellings as set forth in subsection 3 of section 18", and inserting in lieu thereof "of section 18A".

34. (1) Schedules "A", "A1", "B", "B1" and "G" to the said by-law are repealed.

(2) Schedules "H" and "I" are hereto annexed as schedules "A" and "A1" respectively, and form part of this by-law and By-law No. 6593.

35. This by-law does not come into force until approved by the Ontario Municipal Board, or until a certificate has been made by the city clerk under section 39(28) of The Planning Act, as the case may be.

PASSED this day of A.D. 1983.

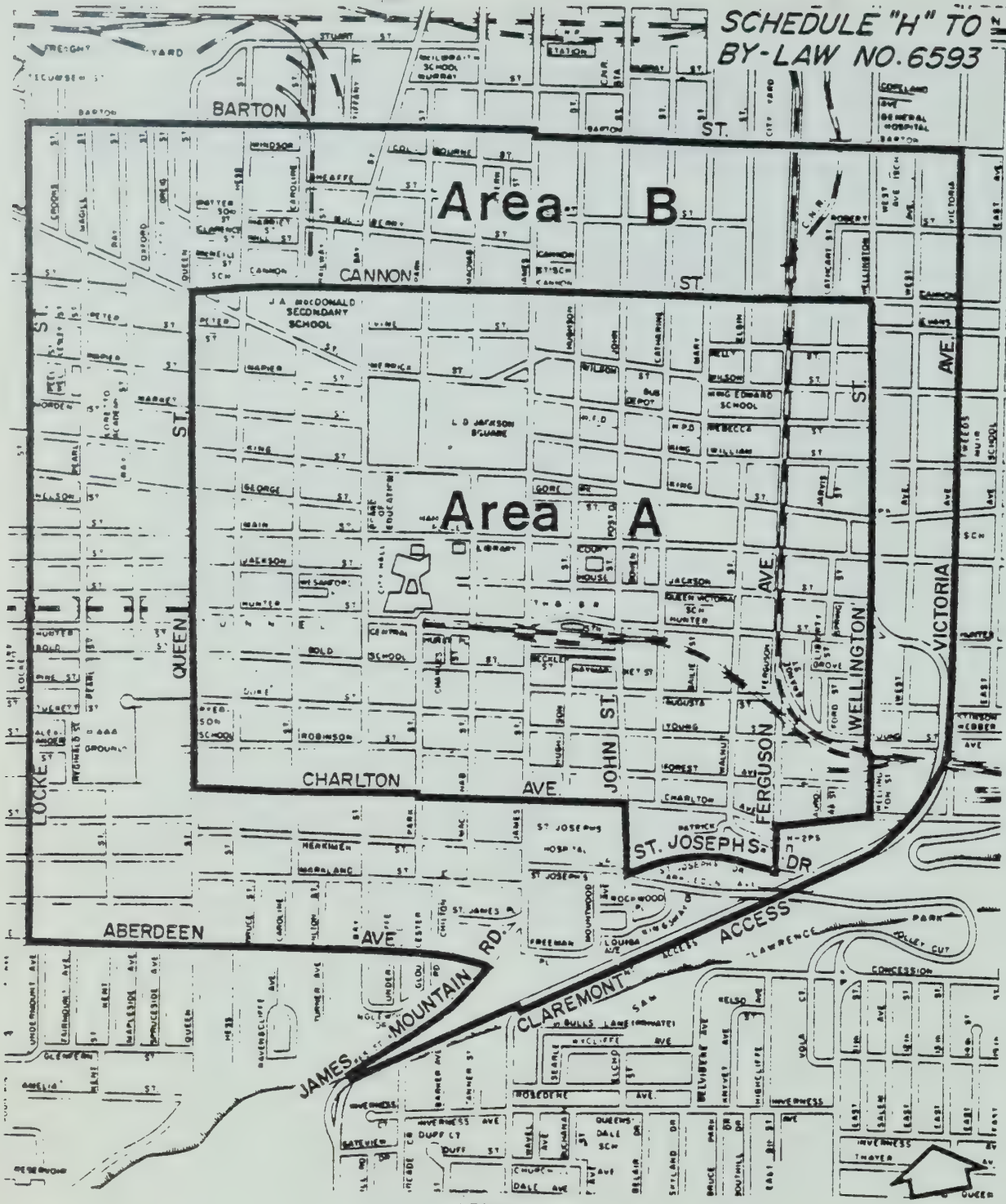
City Clerk

Mayor

(1980) 3 R.P.D.C. 1, January 29
(1982) 2 R.P.D.C. 4, February 9
(1982) 13 R.P.D.C. 1, June 29
(1983) 5 R.P.D.C. 17, 18(f), February 22

City Initiative 80-A

**SCHEDULE "H" TO
BY-LAW NO. 6593**



LEGEND

— Delineates boundary of those areas in which parking requirements for Multiple Residential uses are reduced.

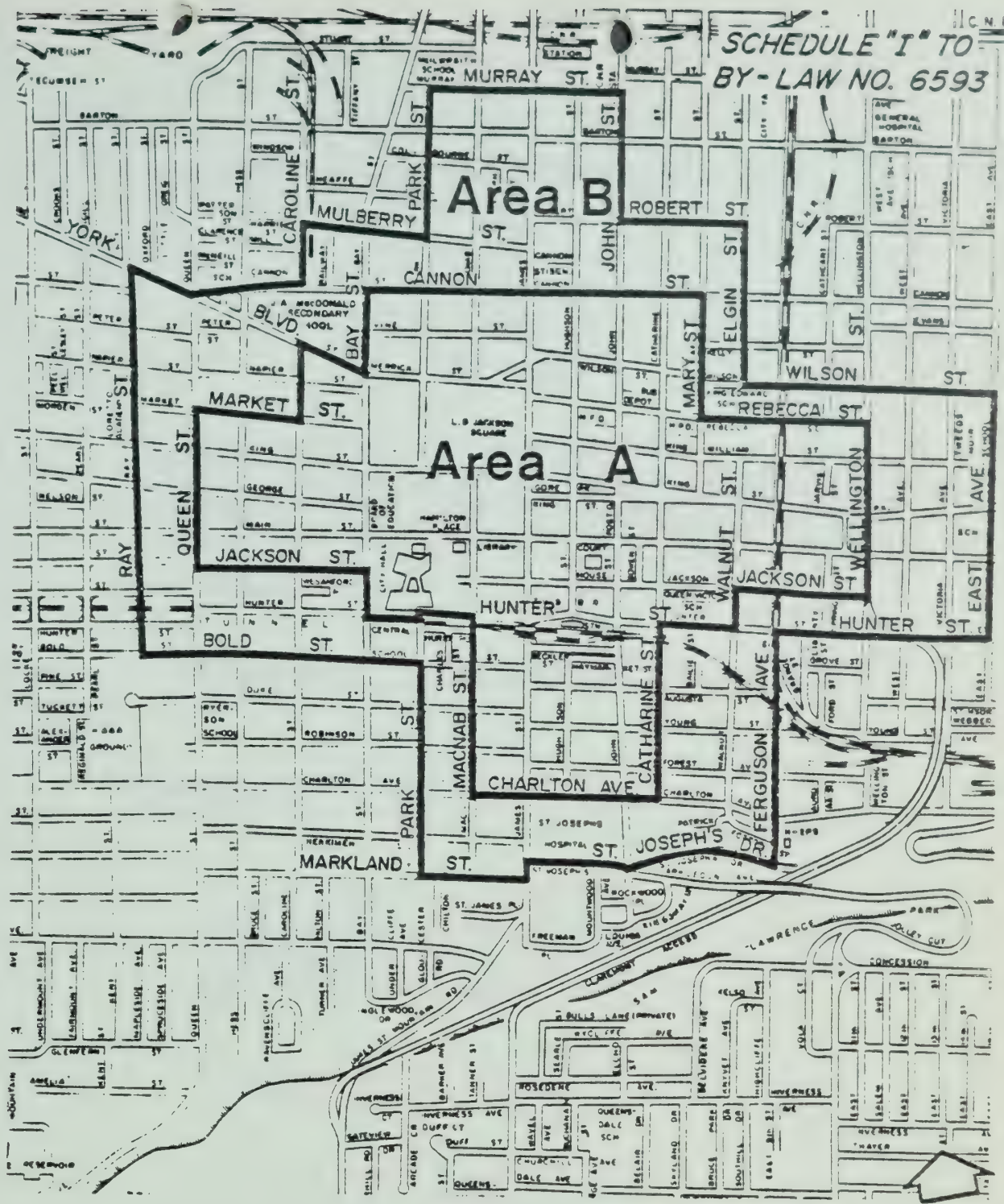
Bill No. D-33

This is Schedule "A" to By-law No. 83- passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor



SCHEDULE "I" TO
BY-LAW NO. 6593

Area B

Area A

LEGEND

— Delineates boundary of those areas in which parking for Commercial, Public and Institutional uses are reduced or not required

Bill No. D-33

This is Schedule "A1" to By-law No. 83- passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

The Property Standards By-law No. 74-74

Respecting:

FEES

WHEREAS By-law No. 74-74 was enacted on the 30th day of April, 1974 in accordance with section 36 of The Planning Act, R.S.O. 1970, Chapter 349, as re-enacted by S.O. 1972, Chapter 118, section 7, (now R.S.O. 1980, Chapter 379, section 43);

AND WHEREAS it is desirable to revise the fees in section 34 of the said by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 34 of By-law No. 74-74, as re-enacted by section 19 of By-law No. 79-23, passed on the 9th day of January, 1979, is amended as follows:

1. The third line or paragraph 3 of subsection 3 is amended by striking out the figure "\$10.00" and substituting in lieu thereof "\$11.00".
2. The second line of clause (a) of subsection 4 is amended by striking out the figure "\$50.00" and substituting in lieu thereof "\$55.00".
3. The third line of clause (b) of subsection 4 is amended by striking out the figure "\$100.00" and substituting in lieu thereof "\$105.00".

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 4 R.P.D.C. 4, February 8

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Building By-law No. 75-55

Respecting:

FEEES

WHEREAS By-law No. 75-55, passed on the 25th day of February, 1975, in accordance with paragraph 24 of subsection 1 of section 38 of The Planning Act, R.S.O. 1970, (now R.S.O. 1980, Chapter 379, subsection 1 of section 46, paragraph 24), provides (amongst other things) for the fixing of fees;

AND WHEREAS it is desirable to revise the fees in the schedule of fees annexed to the said by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" to By-law No. 75-55, as amended by sections 1 and 2 of By-law No. 75-319, passed on the 9th day of December, 1975 and sections 1, 2, and 3 of By-law No. 78-295, passed on the 28th day of November, 1978 and as re-enacted by section 1 of By-law No. 81-70, passed on the 10th day of February, 1981, is repealed and the attached Schedule "A-1983" is substituted therefor.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 4 R.P.D.C. 4, February 8

SCHEDULE "A-1983"

PART 2 - ADMINISTRATION

BY-LAW NO. 75-55

FEEES

-
1. Permit for the construction of a building or part thereof:
 - (1) Where the cost or valuation of the construction is \$100 or less. - No Fee
 - (2) Where the cost or valuation of the construction is greater than \$100 but less than \$500. - \$9.00
 - (3) Where the cost or valuation of the construction is greater than \$500. - \$9.00 plus \$9.00 for each \$1,000 or part thereof, up to and including \$15,000,000 plus \$4 per \$1,000 or part thereof for that portion above \$15,000,000, up to and including \$45,000,000 plus \$2 per \$1,000 or part thereof for that portion above \$45,000,000
 2. Permit to authorize the occupancy of a building or part thereof, prior to completion:
 - (1) First inspection. - No Fee
 - (2) Each inspection after the first inspection. - \$27.00
 3. Where the application is for a Zoning Verification Certificate under the Zoning By-law in respect of one and two family residential occupancies, a fee shall be paid in the amount of - \$16.00
 4. Where the application is for a Certification other than that referred to in paragraph 3 above, a fee shall be paid in the amount of - \$21.00
 5. Where the application is for a Report respecting work in progress or compliance with the Building By-law or Zoning By-law - \$27.00
 6. Hard copies of documents - 8 1/2" x 11" - \$ 1.00

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Building Code By-law No. 76-119

Respecting:

FEES

WHEREAS By-law No. 76-119, passed on the 27th day of April, 1976, pursuant to subsection 2 of section 5 of The Building Code Act, 1974, (now R.S.O. 1980, Chapter 51, subsection 2 of section 5), provides for a schedule of fees to be paid for permits;

AND WHEREAS it is desirable to revise the fees in the schedule of fees annexed to the said by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" to By-law No. 76-119, as amended by section 1 of By-law No. 78-293, passed on the 28th day of November, 1978 and re-enacted by section 1 of By-law No. 81-69, passed on the 10th day of February, 1981, is repealed and the attached Schedule "A" is substituted in lieu thereof.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 4 R.P.D.C. 4, February 8

SCHEDULE "A"

By-law No. 76-119

FEES

CLASS OF PERMIT
(Column 1)

FEE
(Column 2)

-
- | | | |
|-----|--------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | Permit for the construction of a building or part thereof: | |
| (1) | Where the cost or valuation of the construction is \$100 or less. | - No Fee |
| (2) | Where the cost or valuation of the construction is greater than \$100 but less than \$500. | - \$9.00 |
| (3) | Where the cost or valuation of the construction is greater than \$500. | - \$9.00 plus \$9.00 for each \$1,000 or part thereof, up to and including \$15,000,000
plus
\$4.00 per \$1,000 or part thereof for that portion above \$15,000,000 up to and including \$45,000,000
plus
\$2.00 per \$1,000 or part thereof for that portion above \$45,000,000 |
| 2. | Permit for the demolition of a building. | - \$21.00 for each 3,000m ³ of demolition or part thereof |
| 3. | Permit to authorize the occupancy of a building or part thereof, prior to completion: | |
| (1) | First inspection. | - No Fee |
| (2) | Each inspection after the first inspection. | - \$27.00 |

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Authorize:

DEMOLITION AND CLEARING OF
BUILDINGS, STRUCTURES, DEBRIS OR REFUSE AT
MUNICIPAL NO. 564 WOODWARD AVENUE

WHEREAS a Notice dated the 3rd day of March, 1981 was served or caused to be served in accordance with subsection 6 of section 43 of The Planning Act, R.S.O. 1980, Chapter 379;

AND WHEREAS an Order dated the 10th day of April, 1981 was served or caused to be served in accordance with subsection 7 of section 43 of the said Act;

AND WHEREAS no appeal has been made from the said Order in accordance with subsection 17 of section 43 of the said Act;

AND WHEREAS the buildings and structures situate on the land more particularly described in schedule "A" have not been repaired or demolished and the site cleared as required by the said Order;

AND WHEREAS the said buildings and structures are not in conformity with the standards prescribed in The Property Standards By-law No. 74-74 and are in a ruinous and deteriorated condition;

AND WHEREAS in accordance with subsection 21 of section 43 of the said Act the corporation has the right to demolish or repair the property in the event that the Order has not been complied with;

AND WHEREAS it is desirable to demolish the buildings and structures and to clear the site in order to secure the health, welfare and safety of the inhabitants of the area;

AND WHEREAS, pursuant to clause (c) of section 36 of The Property Standards By-law No. 74-74, as amended, the final amount expended by the City to demolish the buildings, together with interest, is a lien against the property in respect of which the amount was expended and the certificate of the City Clerk as to such amount is final and such amount is deemed to be taxes and may be added to the collector's roll to be collected in the same manner as municipal taxes.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Building Commissioner is hereby authorized and directed to provide for the demolition and clearing of all buildings, structures, debris or refuse on the land more particularly described in schedule "A", and to leave the land in a graded and levelled condition.

2. It is hereby authorized and directed that the amount expended for the work done shall be added to the collector's roll and shall be collected in the same manner as municipal taxes.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 4 R.P.D.C. 5, February 8

SCHEDULE "A"

To

By-law No. 83-

Municipal Address: 564 Woodward Avenue, Hamilton

ALL AND SINGULAR that certain parcel of land and premises situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, formerly in the County of Wentworth and being composed of Lot No. 22 in Woodward Heights Survey, according to Plan registered in the Registry Office for the County of Wentworth as Plan No. 616.

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Establish:

A Board of Management

FOR THE IMPROVEMENT AREA GENERALLY BOUNDED BY KING WILLIAM STREET,
MARY STREET, MAIN STREET EAST AND JAMES STREET NORTH

WHEREAS By-law No. 82-151, passed on the 29th day of June, 1982 and approved by the Ontario Municipal Board by Order dated the 15th day of December, 1982 (File No. M 820079), designated as an improvement area the area aforesaid and more particularly described in Schedule "A" and shown on Schedule "B" to the said by-law;

AND WHEREAS subsection 1 of section 217 of The Municipal Act, R.S.O. 1980, Chapter 302 provides that where an improvement area is designated, the council,

(1) ...may by by-law establish for any such area so designated a Board of Management to which may be entrusted, subject to such limitations as the by-law may provide, the improvement, beautification and maintenance of municipally owned lands, buildings and structures in the area, beyond such improvement, beautification and maintenance as is provided at the expense of the municipality at large, and the promotion of the area as a business or shopping area;

AND WHEREAS subsection 6 of the said section provides that,

(6) A Board of Management established under subsection (1) is a body corporate and shall consist of such number of members appointed by council as the council considers advisable, at least one of whom shall be a member of the council and the remaining members shall be individuals assessed for business assessment in respect of land in the area or nominees of such individuals or of corporations so assessed.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. A Board of Management for the improvement area designated by By-law No. 82-151 is hereby established.

2. The Board of Management shall be composed of,

(a) members of council who are the Ward Aldermen in which the improvement area is located:

1. W. M. McCulloch.

2. V. J. Agro.

(b) individuals who are assessed for business assessment in respect of land in the area or nominees of such individuals or of corporations so assessed:

- | | |
|----------------------|-----------------------------------|
| 1. Joe Ross | - Ross' Ladies Wear |
| 2. Wilf Gerofsky | - Leeds |
| 3. Jordan Livingston | - Livingston Furs |
| 4. Ron Waddington | - Waddington Musical Enterprises |
| 5. Barry Massey | - Royal Connaught Hotel |
| 6. Nat Davidson | - Holiday Inn |
| 7. Terry Everett | - Guaranty Trust |
| 8. Don Wessel | - Terminal Towers--Lens & Shutter |
| 9. Barb Attwood | - Cambrian Business Products |
| 10. Al Price | - Bank of Nova Scotia |
| 11. E. Irving | - Continental Bank |
| 12. Jean Bozzo | - McDonald's Restaurant |
| 13. Paul Pappas | - Grapes and Things |
| 14. Martin Kampen | - F. W. Woolworth |
| 15. Michele Simmons | - Wendy's Restaurant |
| 16. Brian Gary | - Brian's Hair Salon |
| 17. Bill Christopher | - Christopher's Restaurant |

2. (1) The Board of Management is hereby entrusted, subject to the limitations set out in subsection (2), with,

(a) the improvement, beautification and maintenance of municipally owned lands, buildings and structures in the improvement area, beyond such improvement, beautification and maintenance as is provided at the expense of The Corporation of the City of Hamilton at large, and

(b) the promotion of the improvement area as a business or shopping area.

(2) Any proposal to construct, repair, rehabilitate or otherwise improve municipally-owned land and/or buildings within the said area shall be subject to the prior approval of the Director, Department of Community Development.

3. Annexed hereto and marked Schedule "A" are the provisions of The Municipal Act relating to the Board of Management.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 3 R.P.D.C. 21, January 25

SCHEDULE "A"

To

By-law No. 83-

(Section 3)

The Municipal Act, R.S.O. 1980, Chapter 302, section 217

Term of office	(7) Each member shall hold office from the time of his appointment until the expiration of the term of the council that appointed him, provided he continues to be qualified, as provided by subsection (6).
Vacancy	(8) Where a vacancy occurs from any cause, the council shall appoint a person qualified as set out in subsection (6) to be a member, who shall hold office for the remainder of the term for which his predecessor was appointed.
Idem	(9) The members shall hold office until their successors are appointed and are eligible for reappointment on the expiration of their term of office.
Estimates	(10) A Board of Management established under subsection (1) shall submit to the council its estimates for the current year at the time and in the form prescribed by council and may make requisitions upon the council for all sums of money required to carry out its powers and duties, but nothing herein divests the council of its authority with reference to rejecting such estimates in whole or in part or providing the money for the purposes of the Board of Management and when money is so provided by the council the treasurer shall, upon the certificate of the Board of Management, pay out such money to the Board of Management.
Expenditure of moneys	(11) The Board of Management shall not expend any moneys not included in the estimates approved by the council or in a reserve fund established under section 165.
Borrowing prohibited restrictions on incurring indebtedness	(12) The Board of Management shall not borrow money and, without the prior approval of the council, it may not incur any indebtedness extending beyond the current year.
Assent of electors, etc. R.S.O. 1980, c. 347	(13) Section 149 of this Act and sections 64 and 65 of the Ontario Municipal Board Act apply to the giving of an approval of indebtedness by a council under subsection (12) as though the giving of the approval were the incurring of the indebtedness by the municipality.
Annual report	(14) On or before the 1st day of March in each year, a Board of Management shall submit its annual report for the preceding year to council, including a complete audited and certified financial statement of its affairs, with balance sheet and revenue and expenditure statement.
Auditor	(15) The municipal auditor shall be the auditor of each such Board of Management and all books, documents, transactions, minutes and accounts of a Board of Management shall at all times, be open to his inspection.
Dissolution of Board	(16) Upon the repeal of a by-law establishing a Board of Management, the Board ceases to exist and its undertakings, assets and liabilities shall be assumed by the municipality.

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Appoint:

PERSONS TO VARIOUS BOARDS AND COMMITTEES

WHEREAS section 3 of The City of Hamilton Act, 1972, as re-enacted by S.O. 1975, Chapter 97, section 3(1) and S.O. 1977, Chapter 87, section 1, provides for the appointment of thirteen directors to the Board of Directors of The Hamilton Performing Arts Corporation, Inc., of whom at least four directors shall be members of council and at least seven directors shall not be members of council;

AND WHEREAS section 4 of The City of Hamilton Act, 1980 provides for the appointment of nine directors to the Board of Directors of The Hamilton Place Convention Centre, Inc., of whom three directors shall be members of council and six directors shall not be members of council;

AND WHEREAS section 76(8) of The Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Chapter 437 provides that the council of an area municipality shall constitute and appoint a committee of adjustment under section 48 of The Planning Act, composed of not less than three persons;

AND WHEREAS section 43(11) of The Planning Act, R.S.O. 1980, Chapter 379 provides for the appointment of a property standards committee, composed of not fewer than three ratepayers;

AND WHEREAS section 5(1) of The Public Libraries Act, R.S.O. 1980, Chapter 414 provides for the appointment by the city of members to the Hamilton Public Library Board, composed of the mayor and three members appointed by council;

AND WHEREAS sections 4(1) and 6(1) of The Community Centres Act, R.S.O. 1960, Chapter 60, [now R.S.O. 1980, Chapter 80, sections 2(1) and 5(1)], provide for the appointment of a committee for the management and control of The Canadian Football Hall of Fame, established as a community centre (now called a community recreation centre) composed of not fewer than three persons who are qualified to be elected as members of council of whom at least two shall be members of council where the committee is composed of five or more members;

AND WHEREAS section 28 of The Ontario Heritage Act, R.S.O. 1980, Chapter 337 provides for the establishment of a local advisory committee to be known as the Local Architectural Conservation Advisory Committee composed of not fewer than five members appointed by council;

AND WHEREAS section 3 of By-law No. 8131, passed on the 23rd day of September, 1957, in accordance with paragraphs 52 and 52a of section 386 of The Municipal Act, R.S.O. 1950, Chapter 243, as enacted in 1955 and amended in 1957, [now R.S.O. 1980, Chapter 302, section 208, paragraphs 55 and 56], provides for the appointment of three members appointed by council to hold office as members of the Parking Authority;

AND WHEREAS clause (b) of section 2 of Article XIX of By-law No. 7970, passed on the 5th day of February, 1957,

ratified and confirmed and declared to be legal, valid and binding upon the corporation and the employees thereof, and provides that The Municipal Retirement Fund Committee requires the appointment of three members of council;

AND WHEREAS section 2 of The City of Hamilton Act, 1978 (No. 1) provides that the City of Hamilton Licensing Committee, established by By-law No. 78-224, passed on the 25th day of July, 1978, shall consist of at least three members appointed by council of whom one or more members may be members of council;

AND WHEREAS subsection 1 of section 43 of The Local Improvement Act, R.S.O. 1980, Chapter 250 provides that the Court of Revision shall consist of five members appointed by the council;

AND WHEREAS section 3 of The City of Hamilton Act, 1979, S.O. 1979, Chapter 124, provides that The Hess Village Pedestrian Mall Authority shall be composed of at least three members, of whom at least one member shall be a member of council;

AND WHEREAS subsection 6 of section 217 of The Municipal Act, R.S.O. 1980, Chapter 302 provides that the Board of Management of the King Street East Improvement Area established by By-law No. 76-98, passed on the 13th day of April, 1976, shall consist of such number of members appointed by council as council considers advisable, at least one of whom shall be a member of council and the remaining members shall be individuals assessed for business assessment in respect of land in the area or nominees of such individuals or of corporations so assessed;

AND WHEREAS it is intended to appoint directors to the various boards and committees as provided by council at its meetings held on January 25, 1983 and February 8, 1983.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (1) The following persons are appointed to the Board of Directors of The Hamilton Performing Arts Corporation, Inc. for a term ending November 30, 1984, and upon the expiry of the said term, for a further term ending November 30, 1985:

1. Alderman M. Kiss.
2. Alderman W. M. McCulloch.
3. Alderman V. J. Agro.
4. Alderman B. Charlton.
5. Alderman H. Merling.
6. Alderman T. Murray.

(2) The following persons are appointed to the Board of Directors of The Hamilton Place Convention Centre, Inc., each for a term ending November 30, 1985:

1. Alderman B. Hinkley.
2. Alderman H. Merling.
3. Alderman J. A. Bethune.
4. K. Clark.
5. W. Stetson.

(3) The following persons are appointed to membership in the Committee of Adjustment of the City of Hamilton, for a term ending November 30, 1985:

1. J. MacDonald.
2. L. Woods.

(4) The following person is appointed to membership in the Property Standards Committee of the City of Hamilton, for a term ending November 30, 1985:

1. J. S. Millar.

(5) The following person is appointed to membership in the Hamilton Public Library Board, for a term ending November 30, 1985:

1. J. Isbester.

(6) The following persons are appointed to membership in the management committee of the Canadian Football Hall of Fame, for a term ending November 30, 1983 and upon expiry of the said term, for a further term ending November 30, 1984 and upon expiry of the latter term, for a further term ending November 30, 1985:

1. Mayor R. M. Morrow.
2. Alderman V. Scott.
3. Alderman T. Murray.

(7) The following persons are appointed to membership in the Local Architectural Conservation Advisory Committee, for a term ending November 30, 1985:

1. Alderman M. Kiss.
2. Alderman B. Charlton.
3. D. Dent.
4. J.B. Henley.
5. H. Mark.
6. C. Moore.
7. G. Simmons.
8. P.J. Vanderhyden.

(8) The following persons are appointed to membership in the Parking Authority of the City of Hamilton, for a term ending November 30, 1985:

1. Alderman V. Scott.
2. G. L. Furness.
3. K. W. O'Neal.

(9) The following persons are appointed to membership in The Hamilton Municipal Retirement Fund Committee for a term ending November 30, 1984 and upon expiry of the said term, for a further term ending November 30, 1985:

1. Mayor R. M. Morrow.
2. Alderman P. J. Peterson.
3. Alderman P. Cowell.

(10) The following persons are appointed to The City of Hamilton Licensing Committee in addition to the members appointed

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

By-law No. 71-69

Respecting:

PENALTY FOR NON-PAYMENT OF TAXES AND INTEREST ON TAX ARREARS

WHEREAS By-law No. 71-69, passed on the 9th day of March, 1971, in accordance with Part XXV of The Municipal Act, R.S.O. 1960, Chapter 23, as enacted by section 31 of The Municipal Amendment Act 1968-69, S.O. 1968-69, Chapter 74, provided (amongst other things) in section 548(3) for a penalty for non-payment of taxes and also provided in section 574(1) for interest on tax arrears, (now sections 386(3) and 412(1) of The Municipal Act, R.S.O. 1980, Chapter 302);

AND WHEREAS it is intended to provide that the penalty and interest rate for overdue taxes shall be 1 1/4% per month.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The 5th and 6th preambles to By-law No. 71-69, as enacted by section 1 of By-law No. 81-279 are repealed.
2. Clause (j) of section 1 of the said by-law, as enacted by subsection 2(3) of By-law No. 81-279 and re-enacted by section 1 of By-law No. 82-43 is repealed and the following substituted therefor:

(j) "specified charge" means one decimal two five per cent (1.25%);
3. Subsections 2 and 3 of section 12 of the said by-law, as enacted by section 5 of By-law No. 81-279 and amended by section 2 of By-law No. 82-43 are repealed.
4. Subsections 2 and 3 of section 13 of the said by-law, as enacted by section 6 of By-law No. 81-279 and amended by section 3 of By-law No. 82-43 are repealed.
5. Subsections 2 and 3 of section 15 of the said by-law, as enacted by section 7 of By-law No. 81-279 and amended by section 4 of By-law No. 82-43 are repealed.
6. Subsections 2 and 3 of section 16 of the said by-law, as enacted by section 8 of By-law No. 81-279 and amended by section 5 of By-law No. 82-43 are repealed.
7. This by-law comes into force on the 1st day of March, 1983.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 3 R.F.C. 5, January 25



MAR 7 1983

MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, March 8, 1983
7:30 o'clock p.m.
Council Chambers
City Hall

A G E N D A

1. Prayer
2. Presentation of Certificates of Appreciation for services rendered
3. Citizen Appointments:
 - (a) Hamilton Hydro Electric Commission
 - (b) Canadian Football Hall of Fame Management Committee
4. Minutes of Previous Meeting held February 22, 1983
5. Correspondence and petitions - City Clerk
6. Reports of Standing Committees - attached
 - A Transport and Environment Committee
 - B Parks and Recreation Committee
 - C Finance Committee
 - D Planning and Development Committee
 - E Legislation Committee
 - G Nominating Committee
7. Consideration of Notice of Motion given at previous meeting:-

RESOLVED: That City Council instruct staff to copy all of our municipality's documentation regarding the Hotel Hamilton project, and that the originals be turned over to the Provincial authorities investigating Seaway Trust Company.

Alderman M. Davison
8. Notices of Motion for next meeting
9. First reading of Bills
10. Second reading of Bills - Committee of the Whole
11. Third reading of Bills
12. Question period
13. Adjournment

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **SIXTH** Report for 1983 and respectfully recommends:

1. That Council approve the following respecting equipment rental for the Street Maintenance and Parks Divisions of the Public Works Department:

G. F. MASON EXCAVATING LTD., Hamilton, Ontario.

Equipment rental in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

Bulldozers -	Caterpillar D-6 c/w Ripper	- \$46.00 Per Hour
	Caterpillar D-7	- \$50.00 Per Hour
	John Deere #450	- \$33.00 Per Hour
Loaders -	Caterpillar 944, Rubber Tired	- \$38.00 Per Hour
	Caterpillar 941	- \$33.00 Per Hour
	John Deere, 1 1/2 Cu. Yd.	- \$33.00 Per Hour
	John Deere #450 Crawler/Loader	- \$33.00 Per Hour
	7231B Terex Rubber Tired	
	Loader with Bucket	- \$52.00 Per Hour
Trucks -	8 Cu. Yd. Dump	- \$22.00 Per Hour
	16 Cu. Yd. Dump	- \$27.50 Per Hour
Graders -	Huber	- \$30.00 Per Hour
Backhoe -	680C	- \$33.00 Per Hour

VERNON SIMS EXCAVATING, Hamilton, Ontario.

Equipment rental in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

Bulldozers -	Caterpillar D-7	- \$55.00 Per Hour
	Caterpillar D-8	- \$58.00 Per Hour
Loaders -	Caterpillar 977	- \$50.00 Per Hour
Scrapers -	Euclid S-18	- \$50.00 Per Hour
	Euclid TS-14	- \$55.00 Per Hour
	Euclid TS-24	- \$60.00 Per Hour

STUART FLETCHER EXCAVATING LTD., Hamilton, Ontario.

Equipment rental in accordance with specifications issued by the Director of Purchases and Vendor's Tender as follows:

Bulldozers -	Caterpillar D-8	- \$50.00 Per Hour
Loaders -	Hough 100 with Bucket	- \$50.00 Per Hour
Trucks -	8 Cu. Yd. Dump	- \$21.00 Per Hour
Backhoes -	580C	- \$32.00 Per Hour
	680C	- \$35.00 Per Hour

E. WOYTKIW HAULAGE LTD., Hamilton, Ontario.

Equipment rental in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

Bulldozers - Caterpillar D-7 - \$44.00 Per Hour

DELMAR CONTRACTING LTD., Hamilton, Ontario.

Equipment rental in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

Trucks - 8 Cu. Yd. - \$22.00 Per Hour

JOHN VANDERKAMP CONTRACTING LTD., Millgrove, Ontario.

Equipment rental in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

Trucks - 16 Cu. Yd. Dump - \$27.00 Per Hour

LORO CONTRACTING, Binbrook, Ontario.

Equipment rental in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

Trucks - 4 Cu. Yd. Dump - \$22.00 Per Hour

BILL PRICE EXCAVATING LTD., Hamilton, Ontario.

Equipment rental in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

Graders - Caterpillar Model 14 - \$35.00 Per Hour
Caterpillar c/w Ripper - \$35.00 Per Hour

CRAYFORD ENTERPRISE LTD., Hannon, Ontario.

Equipment rental in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

Backhoes - 580C - \$31.00 Per Hour
580C c/w Hydraulic Valve - \$36.00 Per Hour

CARDI CONSTRUCTION LTD., Hamilton, Ontario.

Equipment rental in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

Backhoe - 580C - \$34.00 Per Hour

C.R.L. CAMPBELL BROS. CONSTRUCTION LTD., & LOWDEN DRAINAGE LTD.,
Wainfleet, Ontario.

Equipment rental in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

Graders - H300 Gradall	- \$44.50 Per Hour
G660 Gradall	- \$47.80 Per Hour

NOTE: Above are the lowest of 22 tenders received.

2. That the City Solicitor be directed to proceed with the preparation of a By-law to widen Rosedale Avenue at King Street by incorporating therein Parts 1 and 2, Plan 62-5884.

NOTE: The City has acquired two parcels of land for intersection improvements at Rosedale Avenue and King Street and the physical improvements have been carried out. It now remains to formally include the purchased lands in the public highway.

3. That Clause 7 of the Report of the Committee on Works, adopted by City Council on August 27th, 1968, respecting a closing of a portion of King Street West at South Oval be rescinded in its entirety.

NOTE: The proposed closing did not proceed due to objections received as the result of advertising. The applicant belatedly decided to ask for a return of a portion of his deposit and this was settled in 1980. The proposed rescinding will close our books and file on this matter.

4. That the following accounts of professional services rendered, pursuant to the expropriation of 490 York Street - H. Mitsui, be paid in full as submitted:

i. James E. Whitehall, Auctioneer & Appraiser	\$1,520.00
ii. Humphrys, McCaw Inc., Commercial Real Estate, Brokers and Appraisers	\$3,324.50
iii. Beatty-Hall, Industrial & Commercial Construction Real Estate Appraisals	\$75.00

NOTE: On January 31, 1983, the Land Compensation Board commenced hearings on the subject expropriation. The session is now in recess but as a new appointment with the Board will not be possible for a matter of months, we are recommending interim payment of the professional services which were required in connection with the said hearing.

The costs listed herein are chargeable to account #0408-311506.

5. That the leasing of 499 Charlton Avenue East to Mrs. Jennifer Robertson at a monthly rental of \$325.00 (including realty taxes) commencing February 15, 1983 be approved and that the Mayor and City Clerk be authorized to execute the Tenancy Agreement.
6. That the Offer from S. Wise Construction Ltd. to purchase a one foot reserve along the south limit of Landron Drive described as Part 5 and 6 on Reference Plan 62R-6447 for the sum of \$1.00 be approved.

NOTE: This is the purchase of one foot reserves along the south limit of Landron Avenue and are to be included in the Plan of subdivision known as Kingsberry Estates "Phase 2". We have been advised that the cost of municipal services attributable to these one foot reserves have been paid to the City and the Region.

7. That the City purchase part of Lot 6, Concession 7 in the City of Hamilton, formerly in the Township of Barton, comprising an area of 4.211.4m² (1.04 acres) for the sum of \$75,000.00.

The acquisition is to be financed under Account # 0408-324176.

This land is required for the establishment of Loconder Drive from Upper Gage Avenue into the Quinndale Neighbourhood, and of Queen Victoria Drive north and south thereof.

NOTE: This acquisition was authorized by City Council on January 26, 1982, Item 19 of the 1st Report of the Transport and Environment Committee. It is understood and agreed that a one foot reserve will be established along the boundaries of the said lands being acquired, as shown on the attached plan as Parts 7,9,16,18,19 and 20 for the purpose of recovering any costs attributable to the establishment of the said road.

8. That:

- i. a parking prohibition be implemented on the north side of Claudette Gate between Garth Street and the easterly end of the street, and;
- ii. a "No Parking, 8:00 A.M. to 4:00 P.M., Monday to Friday" regulation be implemented on the south side of Claudette Gate between Garth Street and the easterly end of the street.

9. That a "30 Minute Parking Time Limit, 8:00 A.M. to 6:00 P.M., Monday to Saturday" regulation be implemented on the north side of Bold Street, commencing at a point 54 feet west of Caroline Street South and extending to a point 33 feet westerly therefrom.

10. That:

- i. a "No Parking, 8:00 A.M. to 4:00 P.M., Monday to Friday" regulation be implemented on both sides of West 35th Street between Leslie Avenue and the southerly end of the street, and;
- ii. a "No Parking, 8:00 A.M. to 4:00 P.M., Monday to Friday" regulation be implemented on both sides of Bendamere Avenue between West 35th Street and West 34th Street.

11. That a "No Stopping" regulation be implemented on the east side of Locke Street, from Charlton Avenue to a point 86 feet northerly therefrom.

12. That the boulevard parking agreement between the City and Elli and Giustina Pellegrini, owners of the property at No. 775 King Street East, as authorized by the City Council on November 28, 1978, in adopting Item 4 of the 36th Report of the Traffic and Engineering Committee, be amended as follows:

- the area to be used for parking purposes be reduced from 225 square feet to 198 square feet; and
 - the annual fee of \$70.00 be reduced to \$64.00, as of January 17, 1983, in accordance with the fee structure approved by the City Council on November 30, 1976; and
 - the applicant be reimbursed the amount of approximately \$4.75, in accordance with the new annual boulevard parking fee, as of January 17, 1983; and
 - the City Solicitor be authorized to prepare such amending agreement.
13. That the \$2.00 per month charge for time limit exemption permits, for local residents be confirmed.
14. That, in the matter of the request by the Hess Village Pedestrian Mall Authority for approval of their 1983 Budget and a grant to cover the cost of maintenance of the Pedestrian Mall for 1983, it is hereby recommended:
- i. That the last sentence, "It is further recommended that the City Solicitor be authorized and directed to prepare a by-law to amend the by-law establishing the Hess Village Pedestrian Mall to provide that such maintenance expenses are the responsibility of the Hess Village Pedestrian Mall Authority" of item 7 of the 15th Report of the Finance Committee, approved by City Council on 82 08 31, be rescinded.
 - ii. That the revised budget, appended hereto, be approved in the total amount of \$5,100.00; and
 - iii. That a partial grant in the amount of \$2,700.00 be provided to the Mall Authority, and that the Finance Committee be requested to recommend the method of Financing; and
 - iv. That the City Clerk and the City Treasurer be directed to give the necessary notice of Council's intention to commence action to have the balance of the budget assessed to the abutting owners under the appropriate provisions in the Local Improvement Act; and
 - v. That the City Solicitor be directed to make application to the Ontario Municipal Board for approval of the described undertaking pursuant to the City of Hamilton Act, 1979.

NOTE: On 80 06 24, City Council passed By-laws 80-179 and 80-183 which established the Hess Village Pedestrian Mall and the Hess Village Pedestrian Mall Authority. Under these By-laws, the Mall Authority is responsible for the maintenance of the Mall.

Under the provisions of the City of Hamilton Act 1979, the cost of maintaining the mall are to be paid by the abutting owners, or shared between the City and the abutting owners, as Council determines. If costs are to be assessed against the abutting owners then the costs must be allocated under the provisions of the Local Improvement Act.

On 83 08 31, Council approved section 18 of the 13th Report of the Transport and Environment Committee approving a budget of \$2,700 for the balance of 1982 and provided a grant to the Mall Authority in the same amount. Item 7 of the 15th Report of the Finance Committee also approved by Council on 82 08 31 authorized the grant on a one time basis for the year 1982 and is not to be considered as establishing a precedent for the year 1983.

Item 7 of the Finance Committee's report also directed the City Solicitor to prepare a by-law to provide that the maintenance expenses are the responsibility of the Mall Authority. However, the City of Hamilton Act 1979 provides that these expenses shall be paid by the abutting owners or apportioned between the abutting owners and the City. Consequently there is no authority for a by-law to place the responsibility for costs on the Mall Authority and therefore the direction to the City Solicitor should be rescinded.

Initially, the Mall Authority submitted a budget for \$11,800. However, a review of the proposed budget by staff indicated the following areas where reductions could be made and still enable the Mall Authority to maintain attractive and aesthetically appealing surroundings.

After reviewing the revised budget proposal for \$5,100 with the Public Works Department, this amount appears reasonable in order to maintain the Mall Area given the arrangement of the landscaping on this road allowance. Furthermore, it should be noted that maintenance costs for a road allowance of this length elsewhere within the City of Hamilton without the landscaping are approximately \$2,700.

15. That the application of Mrs. J. DeNew, owner of 188 Cumberland Avenue, to allow the retention of a raised rail tie (planter and landscaping) on the road allowance, approximately 13" above the sidewalk grade at 188 Cumberland Avenue, be approved during the pleasure of Council, provided:
 - i. That the owner enter into an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - ii. That an annual fee of \$1 plus applicable realty taxes be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the \$25 annual fee to be charged to the owner for encroachment insurance.
16. That the application of Mr. E. Brunton, owner of 325 Bay Street North to retain the following inadvertent encroachments:
 - i. South wall of building on Bay Street approximately, 0.5m by approximately 13.38m,
 - ii. North end of building on Strachan Street, approximately 1.8m by approximately 6.1m.

be approved during the pleasure of Council, provided:

- (a) That the owner enter into an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (b) That an annual fee of \$1 plus applicable realty taxes be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the \$25 annual fee to be charged to the owner for encroachment insurance.
- 17. That the application of Mrs. S. Lathe owner of 555 Hughson Street North to retain the following inadvertent encroachments:
 - i. Concrete steps approximately 1.06m by approximately 2.5m and,
 - ii. concrete porch approximately 2.4m by approximately 1.3mbe approved during the pleasure of Council, provided:
 - (a) That the owner enter into an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (b) That an annual fee of \$1 plus applicable realty taxes be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the \$25 annual fee to be charged to the owner for encroachment insurance.
- 18. That the application of Mr. L. P. Renaud, Solicitor, on behalf of the owner of 985-991 King Street West to retain the following inadvertent encroachment:
 - i. Mansard roof overhand approximately 0.79m by approximately 30.67m, and approximately 3.3m above the sidewalk,be approved during the pleasure of Council, provided:
 - (a) That the owner enter into an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (b) That an annual fee of \$1 plus applicable realty taxes be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the \$25 annual fee to be charged to the owner for encroachment insurance.
- 19. That the application of Mr. D. L. Swire, owner of 650 Concession Street, to install raised rail tie retaining wall (planter and landscaping) on the road allowance of East 25th Street, approximately 1.21m by approximately 17.0m and approximately 140m above the sidewalk grade, be approved during the pleasure of Council provided:
 - i. That the owner agree to increase the height of the retaining wall by an additional railway tie.

- ii. That the owner enter into an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- iii. That an annual fee of \$1 plus applicable realty taxes be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the \$25 annual fee to be charged to the owner for encroachment insurance.

20. That the application of Mr. E. Fisher, President of Harry's American Roadhouse, a restaurant at 31 Cannon Street East, requesting permission to lease an area of the City boulevard on Hughson Street North having approximately dimensions of 3.9m by 17.37m wide at the side of the restaurant premises, for the purpose of operating a boulevard cafe thereon comprised of:

- i. Uni-Stone pavement and
- ii. Wood planter boundary - 0.47m deep by 0.91m high,

be approved during the pleasure of Council provided:

- (a) That the owner prepare an indemnification agreement, satisfactory to the City Solicitor, and the Regional Commissioner of Engineering, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (b) That an annual fee of \$1 plus applicable realty taxes be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the \$25 annual fee to be charged to the owner for encroachment insurance.

21. Whereas Clause 8(b) of the Sixteenth Report of the Planning and Development Committee as adopted by City Council at its meeting held 79 04 24 recommended that a Subdivision Agreement be entered into between the City of Hamilton and the owner of Corad Estates - Phase 2, Hamilton, Mr. Nicholas Corrado, it is hereby recommended that:

- i. the schedules for the estimated cost of services in "Corad Estates - Phase 2", appended hereto, be approved for inclusion in the proposed Subdivision Agreement;
- ii. the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have both been registered; and,
- iii. in the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-servicing.

NOTE: The City will not share in the cost of installation of the municipal services for this development. Construction of all curbs, sidewalks, finished roads and associated works will be carried out entirely at the owner's cost which is estimated to be \$29,106.38.

22. That:

- i. The Regional Commissioner of Engineering be authorized to withhold additional payment to CN Rail for the reconstruction of the James Street Bridge.
- ii. The Regional Commissioner of Engineering be authorized to deduct the difference between \$150,000 and \$112,316.81, being \$37,638.19 from the quarterly invoices to the City from CN Rail for maintenance of crossings with automatic protection.
- iii. All future billings-received from CN shall first be forwarded to the Transport and Environment Committee for payment approval before any payment is made.

NOTE: The James Street Bridge was constructed by CN Rail under the terms of an agreement with the City of Hamilton dated 28 04 10. This agreement also covered the Bay, John and Catharine Street Bridges. Both parties at that time agreed to the following Clause 1 in the agreement:

"The Railway will at its own expense construct and maintain bridges, and will construct approaches thereto at Bay, James, John and Catharine Streets. The City will at its own expense provide and maintain roadways on such bridges and approaches thereto."

It should be noted that the City concurred with CN Rail on the Bay Street Bridge that the City's responsibility is for the cost of repairs to the concrete sidewalks, sidewalk railings and the wearing surface of the roadway. Also, the City agreed with CN Rail on the John Street Bridge that the City would be held responsible for the wearing surface, approaches and concrete sidewalk slabs. Board Order No. R-16539 of the Canadian Transport Commission authorized CN Rail to reconstruct the John Street Bridge with the cost of maintenance of the superstructure paid by CN Rail with the exception of the cost of maintenance of the wearing surface, approaches and sidewalks which shall be paid by the City of Hamilton.

CN Rail have completed the reconstruction of this structure and have submitted invoices for payment by the City. The invoices include items for concrete for the roadway approach slabs, walkways (sidewalks) and parapets on the bridge, and for conventional and epoxy-coated reinforcing steel in the approach slabs, walkways and parapets. In our opinion, the roadways mentioned in the original agreement imply the asphalt surface and do not include the sidewalks, walkways or handrails on the bridge. These items should be included in CN Rail's portion of the cost. The Region has agreed that the City's portion of the cost should include the cost for utilities, Bell, Hydro and future maintenance of the asphalt wearing surface and sidewalks.

Notwithstanding the payment of the \$150,000 to CN Rail and the previous cost sharing arrangements between the City and CN Rail for the Bay and John Street Bridges, staff is of the opinion that steps should be taken to withhold further payment to CN Rail for reconstruction of the James Street Bridge and recover the overpayment by withholding the appropriate amount from the quarterly invoices for maintenance of signalized crossings.

23. Whereas the City is in receipt of a petition signed by 7 property owners on the south side of Garth Street on Scenic Drive south side from Garth Street to approximately 172m westerly, who do not want a sidewalk constructed in front of their homes, it is therefore recommended:

- i. That the Regional Commissioner of Engineering be authorized and directed to circulate a document to be signed by each owner on the south side of Scenic Drive from Garth Street to approximately 172m westerly stating that they do not want sidewalks installed at this location. The document also should state that if the owners request a sidewalk at any time in the future the cost of the sidewalk is to be at the total expense of the adjacent property owners.
- ii. That the City Solicitor prepare the necessary document and arrange to have it registered on title for each lot.

In the event that the majority of the eight (8) property owners sign the above mentioned document, it is recommended:

- (a) That the requirement of the Modified Subdivision Agreement registered on 81 04 28 as Instrument No. 184610 C.D. between Milan Maravich and the City of Hamilton for construction of sidewalks on Scenic Drive be waived.
- (b) That the City Treasurer be authorized to release the security held for these works under Schedule "G" of the Agreement.

24. That the Medical Officer of Health be immediately requested to direct a study to ascertain whether or not Hamilton's drinking water is safe to drink and that the study include an analysis of all chemicals and minerals including pesticides, P.C.B.s, mirex, dioxin and any other chemicals or contaminants of any kind.

25. That leave be granted to introduce the following bills:

- (a) A-15 By-law to Amend Local Improvement By-law No. 10605 Respecting Revised Costs to the Corporation for the Installation of Local Improvements
- (b) A-16 By-law to Widen Fiona Crescent, east side, north of Brigadoon Drive
- (c) A-17 By-law to Amend By-law No. 66-100 to Regulate Traffic.
- (d) A-18 By-law to Amend By-law No. 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

ALDERMAN H. MERLING, CHAIRMAN

R. C. Prowse,
Secretary
Attach.

February 28, 1983

HESS VILLAGE PEDESTRIAN MALL BUDGET - 1983

	<u>Initial Budget Proposal</u>	<u>Suggested Change By Staff</u>	<u>Revised Budget Proposal</u>
1. Full Landscaping Services	\$2 400	-\$1 200	\$1 200
2. General Clean-Up	300		300
3. Snow Removal	2 500	-500	2 000
4. Street Lighting	6 600	-5 500	1 100
5. Street Furniture Repairs	<u>-</u>	<u>+500</u>	<u>500</u>
TOTAL	\$11 800	-\$6 700	\$5 100

SCHEDULES "E", "F" & "G"

CORAD ESTATES PHASE 2

CITY OF HAMILTON

Submitted by: G. L. Heeringa & Associates Ltd.

.....
G. L. Heeringa, P. Eng.

Date: Feb 2/83

Approved by: M. Reach
Commissioner of Engineering

Date: Feb 22/83

Regional Municipality of Hamilton Wentworth
Department of Engineering

SCHEDULE "E"

CORAD ESTATES PHASE 2

Requirements for Boundary Highways and Estimate of Costs

PART "A"

Works to be installed and paid for by Subdivider

	<u>ESTIMATED COST</u>
1. <u>Stone Church Road West</u>	
A. North Side only, Sidewalks from East limit of subdivision to West limit of subdivision:	
54M @ \$55.00/M	\$ 2,970.00
B. North Side only, replace existing shoulder of preliminary road	
Estimated Cost	\$ 1,250.00
	<hr/>
TOTAL	\$ 4,220.00

PART "B"

Works to be carried out under local improvements

NIL

Note: Sidewalks to be constructed within one year
of registration of subdivision.

SCHEDULE "F"

CORAD ESTATES PHASE 2

Requirements for other than Boundary Highways

Works to be installed by Subdivider and paid for by
Subdivider

ESTIMATED COST

1. <u>Cranbrook Court</u>	
A. Combined curbs and walks 63 M @ 87.00/M	\$ 5,481.00
B. Final Roads and Lot Grading (Standard deep strength asphalt pavement)	
Estimated Cost	\$10,405.00
C. Catch Basins and Connections 2 single catch basins at \$900.00	\$ 1,800.00
2. <u>Gardiner Drive</u>	
A. Catch Basin and Connection 1 single catch basin at \$900.00	\$ 900.00
	<hr/>
TOTAL	\$ 18,586.00

Notes: No preliminary roads to be installed

All walks and curbs and approaches to be installed within 6 months of completion of sewer and water services.

The asphalt binder course for all final roads must be constructed within 15 months of completion of sewers or by June 15 of the following year, if the 15 month period ends after Oct. 15.

The surface course for all final roads must be installed at least one year after installation of the binder course.

SCHEDULE " G "

CORAD ESTATES PHASE 2

PART "A"

Works to be carried out and paid for by the Subdivider.

SEEDING

6.4M wide boulevard on Stone Church Road for frontage
on lots 1 to 5 and 4.3M wide boulevard for frontage
of lots 6 to 13 on Cranbrook Court.

Cost calculated at \$3.00 per sq.m. for a total of 639.7 sq. m.	\$1,919.00
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Maintenance (15%)	287.10
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TOTAL FOR PART "A"	<u>\$2,206.10</u>
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PART "B"

Works to be carried out by the City and paid for
by the Subdivider.

TREES

Cost calculated at \$1.00/M for the total frontage of 129.5 M	\$ 129.50
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TOTAL FOR PART "B"	<u>\$ 129.50</u>
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TOTAL FOR SCHEDULE "G"	<u>\$2,335.60</u>
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Note: All seeding to be planted within
6 Months of completion of sidewalks
and curbs.

SUMMARY SHEET

CITY'S SHARE

- A. Services to be installed by subdivider and paid for by City

NIL

SUBDIVIDER'S SHARE

- A. Services to be installed and paid for by Subdivider.

- | | |
|----------------------------------|-------------|
| 1. Curbs, walks & Shoulder Rest. | \$ 9,701.00 |
| 2. Final Roads and Lot Grading | \$10,405.00 |
| 3. Catch Basins | \$ 2,700.00 |

Total Construction Cost	\$22,806.00
Inspection 2%	456.12
Maintenance 3%	684.18
Engineering 8%	<u>1,824.48</u>

TOTAL	\$25,770.78	\$25,770.78
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- | | |
|----------------------------------------------------------------------------|--------------------|
| B. Local Improvements | Nil |
| C. Replacing of Damaged or missing Survey monuments and Standard Iron Bars | \$ 1,000.00 |
| D. Tree Planting | \$ 129.50 |
| E. Street Name Signs N/A | |
| F. Seeding (incl. Maintenance of \$287.10) | <u>\$ 2,206.10</u> |

TOTAL SUBDIVIDER'S SHARE	\$29,106.38
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REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **SEVENTH** Report and respectfully recommends:

1. That the Corporation of the City of Hamilton exercise its option to extend the term of a concession contract at the Rosedale Arena between the City of Hamilton and No. 392472 Ontario Limited, carrying on business as King's Restaurant for a period of one (1) year commencing April 1st, 1983 to March 31st, 1984 at a lump sum price of \$7,000.00.

NOTE: With the adoption of this resolution, City Council is exercising its option to renew this contract for the fourth year of a four year contract.

2. Approval of the sale of the following parcels of city-owned land which are surplus to the City's requirements for the development of a passive park in the Ainslie Wood East Neighbourhood. Cash on closing of sales which shall be on or before August 29, 1983.
 - (a) Part of Lot 76, Registrar's Compiled Plan 1480, being a parcel of land adjacent to the rear (west of) 222 Emerson Street, measuring approximately 40 feet by 60 feet, less a daylight corner at the rear, to Gary S. Read, for the sum of \$600.00. Deposit amount \$60.00.
 - (b) Part of Lot 76, Registrar's Compiled Plan 1480, being a parcel of land adjacent to the rear of (west of) 224 Emerson Street, measuring approximately 40 feet by 60 feet to Lawrence M. and Bonnie A. McDonald, for the sum of \$600.00. Deposit amount \$60.00.
 - (c) Part of Lot 76, Registrar's Compiled Plan 1480, being a parcel of land adjacent to the rear of (west of) 226 Emerson Street, measuring approximately 40 feet by 60 feet to Gary B. and Joan M. Cheeseman, for the sum of \$600.00. Deposit amount \$60.00.
 - (d) Part of Lot 76, Registrar's Compiled Plan 1480, being a parcel of land adjacent to the rear of (west of) 228 Emerson Street, measuring approximately 15 feet by 50 feet to Donald R. and Elizabeth E. Mantle, for the sum of \$187.50. Deposit amount \$20.00.
 - (e) Part of Lot 76, Registrar's Compiled Plan 1480, being a parcel of land adjacent to the rear of (north of) 68 Willowcrest Avenue, measuring approximately 40 feet by 50 feet to Cecil and Dorothy Clark, for the sum of \$500.00. Deposit amount \$50.00.
 - (f) Part of Lot 76, Registrar's Compiled Plan 1480, being a parcel of land adjacent to the rear of (north of) 70 Willowcrest Avenue, measuring approximately 40 feet by 50 feet to Thomas Walker, for the sum of \$500.00. Deposit amount \$50.00.

- (g) Part of Lot 76, Registrar's Compiled Plan 1480, being a parcel of land adjacent to the rear of (north of) 72 Willowcrest Avenue, measuring approximately 40 feet by 50 feet to William J. and Marilyn M. Helwig, for the sum of \$500.00. Deposit amount \$50.00.
- (h) Part of Lot 76, Registrar's Compiled Plan 1480, being a triangular parcel of land adjacent to the rear of (north of) 74 Willowcrest Avenue, measuring approximately 40 feet by 50 feet by 50 feet, to Kenneth H. Baird and Jean A. Secord, for the sum of \$250.00. Deposit amount \$25.00.
- (i) Part of Lot 76, Registrar's Compiled Plan 1480, being a triangular parcel of land adjacent to the rear of (north of) 76 Willowcrest Avenue, measuring approximately 15 feet by 15 feet by 15 feet, to Mary P. Hamilton, for the sum of \$30.00. Deposit amount \$3.00.
- (j) Part of Lot 82, Registrar's Compiled Plan 1480, being a parcel of land adjacent to (east of) 127 Leland Street, measuring approximately 46 feet by 30 feet to Hilda M. Carruthers, for the sum of \$345.00. Deposit amount \$35.00.
- (k) Part of Lot 82, Registrar's Compiled Plan 1480, being a parcel of land adjacent to (south of) 75 Whitney Avenue, measuring approximately 60 feet by 30 feet to Donald V. and Cora I. Cousins, for the sum of \$450.00. Deposit amount \$45.00.
- (l) Part of Lot 82, Registrar's Compiled Plan 1480, being a parcel of land adjacent to (east of) 129 Leland Street, measuring approximately 46 feet by 30 feet to Ashley C. Francis, for the sum of \$345.00. Deposit amount \$35.00.

NOTE: These offers are conditional upon fill being placed upon the subject parcels of land prior to the date of closing in a manner satisfactory to the Vendor and the Purchasers.

In the event fill is not placed on the subject parcels prior to the date of closing, the agreements shall terminate, being null and void, and the deposits shall be returned by the Vendor to the Purchasers without interest or deduction for cancellation and the Vendor shall not be liable for any damages or costs.

The final purchase price of the lands described herein is to be calculated by applying a rate of .25¢ per square foot applied to the land being purchased and defined by the survey.

3. Approval of the sale of the following parcels of city-owned land, which are surplus to the City's requirements for the development of a passive park in the Ainslie Wood East Neighbourhood. Cash on closing of sales which shall be on or before April 25, 1983.

- (a) Part of Lot 82, Registrar's Compiled Plan 1480, being a parcel of land adjacent to (east of) 117 Leland Street, measuring approximately 50 feet by 50 feet to John L. and Gayle S. Dryden, for the sum of \$625.00. Deposit amount \$62.00.
- (b) Part of Lot 82, Registrar's Compiled Plan 1480, being a parcel of land adjacent to (east of) 113 Leland Street, measuring approximately 41 feet by 50 feet to Francis H. and Eileen Fletcher, for the sum of \$512.50. Deposit amount \$50.00.

- (c) Part of Lot 82, Registrar's Compiled Plan 1480, being a parcel of land adjacent to (south of) 99 Whitney Avenue, measuring approximately 31 feet by 41 feet to Gregory P. and Mary A. Wilson, for the sum of \$317.75. Deposit amount \$30.00.
- (d) Part of Lot 82, Registrar's Compiled Plan 1480, being a parcel of land adjacent to (south of) 97 Whitney Avenue, measuring approximately 35 feet by 41 feet to Roy M. and Winnie M. Cramm, for the sum of \$358.75. Deposit amount \$35.00.
- (e) Part of Lot 82, Registrar's Compiled Plan 1480, being a parcel of land adjacent to (south of) 95 Whitney Avenue, measuring approximately 34 feet by 30 feet to Henry and Rose Marie Greenwood, for the sum of \$255.00. Deposit amount \$25.00.
- (f) Part of Lot 82, Registrar's Compiled Plan 1480, being a parcel of land adjacent to (south of) 89 Whitney Avenue, measuring approximately 25 feet by 30 feet to Frank and Florence DeJong, for the sum of \$187.50. Deposit amount \$20.00.
- (g) Part of Lot 82, Registrar's Compiled Plan 1480, being a parcel of land adjacent to (south of) 87 Whitney Avenue, measuring approximately 25 feet by 30 feet to Alfred Wm. and Margaret G. Peterson, for the sum of \$187.50. Deposit amount \$20.00.
- (h) Part of Lot 82, Registrar's Compiled Plan 1480, being a parcel of land adjacent to (south of) 85 Whitney Avenue, measuring approximately 25 feet by 30 feet to Steve and Elizabeth Juszel, for the sum of \$187.50. Deposit amount \$20.00.
- (i) Part of Lot 82, Registrar's Compiled Plan 1480, being a parcel of land adjacent to (south of) 81 Whitney Avenue, measuring approximately 40 feet by 30 feet to David M. and Christine Aiken, for the sum of \$300.00. Deposit amount \$30.00.

NOTE: The final purchase price of the lands described herein is to be calculated by applying a rate of .25¢ per square foot applied to the land being purchased as defined by survey.

- 4. Approval of the sale of the following parcels of city-owned land on Whitney Avenue and Emerson Street in the Ainslie Wood East Neighbourhood to Mr. George Lammers for the total sum of \$51,000.00.
 - (a) Part of Lot 191, Plan 426, with a frontage on Whitney Avenue of 40 feet by a depth of 100 feet.
 - (b) Part of Lot 76, Registrar's Compiled Plan 1480, with a frontage on Emerson Street of 55 feet by a depth of 100 feet.
 - (c) Part of Lot 76, Registrar's Compiled Plan 1480, with a frontage on Emerson Street of 55 feet by a depth of 100 feet.

This offer to purchase shall close on or before July 14, 1983 and it is understood and agreed that:

C

- (a) The Purchaser may assign his right to purchase all or any one of the said three parcels and that the sale of all or any one of the said three parcels may take place if requested by the purchaser or his assignee on or before the said closing date by a separate deed from the City of each parcel, and in any event, on or before the original date of closing set out in the agreement; provided,
 - (i) the City is entitled to retain the original \$5,100.00 deposit towards the completion of the purchase of the last parcel,
 - (ii) the City receives from the proposed assignee 10% of the sale price of the parcel or parcels being assigned to him and, unless such additional deposit is received by the City, the assignment shall not be valid,
 - (iii) the City receives on the closing of the sale of parcel 1, the sum of \$16,00.00 and on the closing of the sale of parcel 2, the sum of \$17,500.00 and on the closing of parcel 3, the sum of \$17,500.00 (less \$5,100.00 on deposit = \$12,400.00).
- (b) It is understood that the said \$5,100.00 deposit shall be retained by the City and applied solely to the completion of the sale of the last of the said three lots.
- (c) The closing of the sale of the said three parcels of land shall in any event, take place on or before the said original date of closing, namely the 14th of July, 1983.

It is understood and agreed that this agreement shall be null and void and the deposit returned to the purchaser in the event the purchaser is unable to assign and complete the sale of parcel 2 on or before the 25th day of March, 1983.

It is understood and agreed that the Vendor does not make any representation or warranty as to the suitability of the said lands for any development, use, or any proposed use of the Purchaser, however, it is understood and agreed that the Purchaser or his assignee, if any, shall have the right to satisfy themselves before taking title from the city and in any event on or before the 25th day of March, 1983. If the Purchaser, or his assignee or either of them are not satisfied, then they must give the city notice in writing to that effect on or before the said date and if no such notice is received by the city by the said date, then the agreement and the portion thereof assigned if any shall be in full force and effect. If, however, such notice is duly received by the city then this agreement or the portion thereof assigned to the person giving the notice shall be null and void and the deposit under the agreement or the deposit paid by the assignee as the case may be, shall be refunded without interest.

- 5. Approval of the payment of an account from Humphreys, McCaw Inc., Real Estate Appraisers, in the amount of \$3,570.75 representing their fees for services rendered with respect to the preparation of an appraisal report in connection with the expropriation of Part of Lot 32, Concession 4, Saltfleet Township, Mount Albion Road, from Mr. Ronald V. Kemp.
- 6. Approval of the leasing of the property at 122 Province Street North to Mrs. Audrey Simpson, commencing February 1, 1983 at a monthly rental charge of \$265.00 including taxes.

This property was acquired for parks purposes in the Crown Point East Neighbourhood, and will be vacated and demolished when same is required for park development.

7. Approval of the application by Drum Corps International to hold its Fifth Annual Drum and Bugle Competition in Ivor Wynne Stadium on Friday, July 8th, 1983, subject to terms and conditions as set by the Director of Culture and Recreation in accordance with Schedule B of the Operational Regulations for Use of Ivor Wynne Stadium.

Rental fee for use of the stadium to be \$2,147.00 plus actual labour costs associated with clean up.

8. Approval of the application by Mrs. Carrie Boswell to hold a Muscular Dystrophy Dance-A-Thon in Dundurn Park from 4:00 o'clock p.m., August 27th, 1983 to 6:00 o'clock p.m., August 28th, 1983 inclusive, subject to terms and conditions as set by the Director of Culture and Recreation.
9. That the Director of Culture and Recreation be authorized to grant approval to rental applicants to apply for special occasion permits for the purpose of selling alcoholic beverages within various facilities under the jurisdiction of the Department of Culture and Recreation.

Such permission to be considered only if the serving of alcoholic beverages is secondary to the primary purpose of the function.

NOTE: The present policy, approved by City Council in 1974, allows for the serving of alcoholic beverages in the Mountain and Rosedale Arenas and the Barton Community Centre and further requires the approval of the Parks and Recreation Committee. The policy being recommended incorporates all facilities which meet the Liquor Licence Board of Ontario requirements and allows for requests to be expedited by the Department of Culture and Recreation.

10. That the present policy, which allows a credit or refund of golf and ski memberships only for medical reasons and only when substantiated by a doctors certificate, be amended to include the following:
 - (a) Director of Culture and Recreation be authorized to issue a credit or refund on memberships returned to the Department prior to the commencement of the applicable programme.
 - (b) That refunds be subject to a 10% administrative charge.
11. Approval of Change Order No. 1 in the amount of \$7,178.60 in favour of G. S. Wark Ltd. for the contract for the development of the Jack C. Beemer Park. This Change Order is for the installation of two catch basins and drain lines, one in the playground area and one at the end of the closed alley. Also to supply and install asphalt paving around the play area.

This Change Order increases the original contract amount of \$53,100.00 to 60,278.60.

12. That the Parks Division of the Department of Public Works participate in the Ontario Garden and Flower Festival being held at the Hamilton Convention Centre, March 25, 26 and 27, 1983. The costs for rental of booth space is \$1,350.00.
13. That the City call for tenders for the food and drink concession at Ivor Wynne Stadium and the various City Parks, and the beer concession at Ivor Wynne Stadium, which expire on March 31, 1983.

NOTE: For the information of the members of City Council, the Hamilton Tiger-Cat Football Club proposed to negotiate an agreement with the City which would include the food and drink concession, beer concession, and advertising rights at Ivor Wynne Stadium as well as the use of the field and related facilities for games and practices.

The Parks and Recreation Committee does not feel it would be in the best interests of the City to include the concession rights in such a negotiated agreement and is therefore recommending tendering of these concessions.

Respectfully submitted,

ALDERMAN B. HINKLEY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

J. J. Schatz, Secretary
February 24th, 1983

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its **SIXTH** Report and respectfully recommends:

1. Approval of the awarding of the following contracts:

(a) IBM CANADA LIMITED, Hamilton, Ontario

Monthly availability charges, unit record, data preparation, computer systems and related peripheral devices for the months of January to March 1983, inclusive \$310,000.00

(b) JOCELYN ROOFING AND SHEET METAL, Hamilton, Ontario

To supply services and materials for roof repairs during 1983 to various civic buildings as follows:

Inspection to flat roofs - \$10.50 to \$50.00 each. Deductable
Rate for labour - \$18.16 - \$21.94 per hour, depending on classification
Travelling expenses - \$7.50 - \$20.00 per trip, depending on location
Materials - cost + 12% + 10%

NOTE: Lowest of seven (7) acceptable tenders.

2. Approval of the settlement of the following claims:

(a) "By County Court Writ issued November 10, 1982 legal action was commenced on behalf of the City and Gary McKechnie against Florence Gail Urban and Richard Urban for damages for personal injuries suffered by Mr. McKechnie an employee of the Parking Authority at the time of the accident and for expenses incurred by the City. It is recommended that this action be settled in the amount of \$931.50 inclusive of costs. After deduction of the City's expenses and costs there will remain a surplus of \$700.00 to be paid to Mr. McKechnie pursuant to Section 8(4) of The Workmen's Compensation Act, R.S.O., 1980, Chapter 539."

(b) By County Court Writ issued June 13, 1978, Annie Kozlowski commenced action against the City for damages due to personal injuries she suffered on March 18, 1978 when she fell over an iron ground rod that was protruding from the paved boulevard and sidewalk area adjacent to Ottawa Street, just north of its intersection with Barton Street East in the City of Hamilton. She suffered a Colles fracture of her right wrist and an injury to her neck.

It is recommended that Annie Kozlowski's claim be settled in the amount of \$24,000.00 plus party and party costs to be taxed.

3. Approval of the payment of the following account:

- (a) "That the interim account of Messrs. McTaggart, Stone, Winters & Herridge in the amount of \$19,355.49, including disbursements together with the account of Mr. Mark J. Nimigan in the amount of \$767.25 for the discoveries of Mr. J. A. Hill (233 pages) be paid."

NOTE: These invoices cover services rendered from October 1, 1982 to January 31, 1983 with respect to the City's law suit against the Toronto, Hamilton and Buffalo Railway Company and Canadian Pacific Limited.

- (b) That the account of Fraser & Beatty, dated December 9, 1982, in the amount of \$8,882.89, be paid without prejudice, and charged to account 0333-0156.

NOTE: This account is in respect of services rendered with regard to the interface and lease arrangements with Hilton Hotel.

4. (a) That the City Solicitor be authorized and directed to:

- (i) Notify the Public Trustee that the City does not wish to obtain title to the properties at 17 and 21 East Avenue South which vested in the Crown in the right of Ontario upon the dissolution of the prior corporate owner.
- (ii) Request the Province of Ontario to pay to the City the amount of \$19,149.46 (Nineteen thousand, one hundred forty-nine dollars and forty-six cents) which is the total of the realty taxes, penalty and interest which were owing on February 22, 1982, the date of dissolution; and the penalty and interest which has accrued since that date.

- (b) That the City Treasurer be authorized and directed to register Vacating Certificates against the lands.

5. (a) That item 37 (ii) of the Nineteenth Report of the Board of Control, adopted by City Council July 27, 1965, approving the sale of a parcel of land to General Concrete Limited, be rescinded as this property has since been sold to Chester and Morris Waxman.

As a result of this sale to the Waxman Brothers, this outstanding land sale can be removed from the records of the City Treasurer in keeping with sound business practices.

- (b) That the City Treasurer be authorized to place the \$2,908.00 deposit received from the purchaser (General Concrete Limited) into a separate reserve in the event the appointed receiver institutes a claim for the return of the deposit.

6. That the rent for 32 City-owned residential rental properties, as set forth in Schedule "A", attached, be increased by a maximum of 6% effective July 1, 1983.
7. That revisions proposed for the 5th floor to accommodate the Regional Engineering Surveyors be carried out at the estimated cost of \$7,500.00 and that this amount be financed from account 0280-10 - Reserve for Capital Projects.
8. Section 19 of the Third Report of the Planning and Development Committee adopted by City Council January 25, 1983 deals with designated property grants under the Building Rehabilitation and Improvement Campaign (BRIC) and requests the Finance Committee to recommend the method of financing the \$10,000.00 costs involved.

The Finance Committee recommends that this expenditure be financed from Unclassified Expenditures Account No. 0378-2700.

9. That section 5 of the Third Report of the Finance Committee adopted by City Council January 25th, 1983, which deals with the penalty and interest rates on tax arrears, be reconsidered.
10. Members of City Council are advised that at its meeting on March 3rd, 1983 the Finance Committee, due to a 4 - 4 tie vote, was unable to agree on the submission of either a positive or negative recommendation with respect to the following, and agreed that the matter would be submitted to City Council for its consideration:
 - (a) that a "Job Creation Line" be established in the City Clerk's Department for the express purpose of receiving suggestions from the general public as to how Hamilton City Council might best initiate new employment opportunities in the City of Hamilton; and
 - (b) that the Finance Committee be requested to recommend the method of financing.

NOTE: It is suggested that this service run for a trial period of one (1) month commencing March 14, 1983 and terminating April 8, 1983.

It is estimated that the total cost to the City to provide this service for one month would not exceed \$3,000.00.

11. (a) That a Special Committee of City Council, consisting of an alderman from each of the eight wards plus the Mayor, be established to administer the HAMILTON-SCOURGE Project.

- (b) That a budget allocation of \$100,000.00 be approved for this project.
- (c) That the HAMILTON and SCOURGE Foundation Inc., be requested to proceed with fund raising for the project as its primary purpose.

NOTE: Attached, for the information of the members of City Council, as Schedule "B", is a report dated March 3, 1983 respecting the HAMILTON-SCOURGE Project.

Respectfully submitted,

ALDERMAN P. J. PETERSON, CHAIRMAN
FINANCE COMMITTEE

J. J. Schatz, Secretary
March 3rd, 1983
attchms.

CITY OF HAMILTON - RENTAL LIST (PARTIAL)

ADDRESS	TENANT	PURPOSE	PRESENT RENT		LAST INCREASE	RECOMMENDED RENT	
			RENT			RENT	
563 Aberdeen Avenue	Mr. & Mrs. Turpin	Park Chedoke	\$175.00		May 1/82	\$185.00	
9322 Airport Road West	Mr. & Mrs. F. Elliott	Airport Property	\$200.00		May 1/82	\$212.00	
50 Allan Avenue	Mr. & Mrs. D. Jeakins	Parks	\$265.00		April 19/82	\$280.00	
52 Allan Avenue	Mrs. M. Yensen	Parks	\$270.00		Jan. 26/82	\$285.00	
215 Belmont Avenue	Mr. & Mrs. M. Korz	Parks	\$365.00		June 15/82	\$380.00	
219 Belmont Avenue	Somdeth and Somvong Phouthonesy	Parks	\$320.00		May 28/82	\$335.00	
221 Belmont Avenue	Susan Digby	Parks	\$280.00		Mar. 1/82	\$295.00	
151 Belview Avenue	Mr. & Mrs. F. Dickson	Parks	\$260.00		Mar. 1/82	\$275.00	
172 Belview Avenue	Mr. & Mrs. M. McPherson	Parks	\$255.00		June 4/82	\$265.00	
104 Burton St.	(St. Ann's R.C. Church) Duong To	Parks	\$260.00		May 1/82	\$275.00	

Schedule "A", as referred to
in item 6 of the Sixth Report
of the Finance Committee.

ADDRESS	TENANT	PURPOSE	PRESENT RENT	LAST INCREASE	RECOMMENDED RENT
44 Century Street	Mrs. E. McLaren	Road Widening-Parks	\$185.00	May 1/79	\$195.00
48 Century Street	Mrs. I. Cojacari	Road Widening-Parks	\$185.00	May 1/79	\$195.00
113 Graham Ave.N.	Mr.&Mrs.R.Crepeault	Parks	\$290.00	May 1/82	\$300.00
1061 Hwy.#53 E.,Ancaster	Mr.&Mrs.R.Williamson	Parks	\$175.00	May 1/82	\$185.00
2656 King St.East	Mr.&Mrs.R.Davis	Road	\$345.00	May 1/82	\$365.00
2787 King St.East	Mr.&Mrs.Toombs(Lower) Mr.&Mrs.Campagnola(Upper)	Road	\$195.00 \$270.00	May 1/82	\$200.00 \$280.00
53 Lake Ave. North	Mr.&Mrs.R.Morris	Park	\$175.00	May 1/82	\$185.00
130 Lawrence Road	Mr.&Mrs.Duckworth	Park	\$175.00	May 1/82	\$185.00
1150 Leaside Road	Mr.&Mrs. B.Tait	Park	\$260.00	May 1/82	\$275.00
111 Pottruff Rd.N.	Mr.&Mrs.J.Ruffell	Park	\$245.00	May 1/82	\$260.00

CITY OF HAMILTON - RENTAL LIST (PARTIAL)

ADDRESS	TENANT	PURPOSE	PRESENT RENT	LAST INCREASE	RECOMMENDED RENT
306 Rymal Rd. East	Mr. & Mrs. T. Coffey	Parks	\$185.00	Nov. 1/81	\$195.00
662 Rymal Rd. East	Mr. & Mrs. B. Kyle	Road	\$385.00	May 1/82	\$400.00
203 Simcoe St. East	Mrs. A. Smith	Perimeter Road	\$200.00	May 1/82	\$210.00
1192 Upper Gage Ave.	Mr. & Mrs. T. Caldwell	Freeway	\$250.00	May 1/82	\$265.00
7 Limeridge Rd. East	Mrs. L. White	Freeway	\$250.00	Oct. 1/81	\$265.00
1142 Upper James St.	Mr. & Mrs. K. Thomas	Freeway	\$300.00	May 1/82	\$315.00
770 Upper Wentworth St.	Mr. J. Keenan	Park	\$185.00	June 1/82	\$195.00
1112 Upper Wentworth St.	Mr. & Mrs. J. Robson	Freeway	\$250.00	May 1/82	\$265.00
119 West Ave. South	Mr. & Mrs. A. McDonough	Parks	\$280.00	May 1/82	\$295.00
127 West Ave. South	Mr. & Mrs. J. Maluk	Park	\$310.00	May 1/82	\$325.00

CITY OF HAMILTON - RENTAL LIST (PARTIAL)

[illegible]



HAMILTON
SCOURGE
PROJECT

March 3, 1983

HAMILTON SCOURGE PROJECT

The two 1812 warships were first discovered in June 1975 when side scan sonar indicated two ships on the bottom of Lake Ontario. In August 1980, Jacques Cousteau's team photographed the Hamilton and the world saw the ship in detail for the first time. In May 1982, the Hamilton-Scourge Foundation used the National Geographic Society and the Benthos team to carry out substantial 35 mm and video photography of the Hamilton and the Scourge. In the Fall of 1982 the C.T.V. and C.B.C. created two television programs. The C.T.V. network ran the "W 5" program on the Hamilton and Scourge and received substantial reaction.

The National Film Board and the C.B.C. did a fine two hour program on Cousteau's visit to Canada and the Great Lakes and included the 1980 photography of the Hamilton in this program.

In November 1982, a specialized Canadian Company carried out successful underwater photography demonstrating the skill of Canadian Engineers and Canadian Technology. The warships were not photographed because winds were too strong to risk the survey ship anchoring near the site of the Hamilton or the Scourge.

In February 1983, two national magazines, the Canadian Geographic and the National Geographic Society published major articles in their March 1983 issues which cover over 35 million readers. In addition, the National Geographic Society sponsored a major press release on international satellite and major television networks and newspapers including New York Times and Washington Post. The results have created an information and awareness explosion, in North America and many countries of Europe.

The City Administration and the Hamilton-Scourge Foundation have carried out public relations, fund raising, engineering administration, etc. with some difficulty in the past four to five years. The recent releases of publicity has the "world" recognizing the potential treasure of the Hamilton and the Scourge. This world-class tourist attraction is causing intensive requirements of engineering administration, fund raising and public relations.

Preparation for a corporate and government fund raising presentation is nearly completed. Preparation of procedures, documentation and requirements of feasibility studies for photography, ship raising, conservation, archaeology, history, etc. is in progress.

The time has come for decisive decision-making on the potential of this entire project. The City of Hamilton is most fortunate to be owners of this world-class tourist attraction.

Consideration is recommended to have a Committee of Council to administer the project and have the Hamilton Scourge Foundation carry out their original purpose of fulltime fund raising.

A minimal City Budget for the promotion of this world tourist attraction to pay for administrative and engineering staff for administrative, fund raising, and immediate feasibility study requirements.

Recommendations:

1. That the City Council create a Hamilton Scourge Committee.
2. That a \$100,000 budget be prepared for staff etc. to administer the Hamilton Scourge Project.
3. That the Hamilton Scourge Foundation proceed with world fund raising as their prime purpose.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SIXTH** Report for 1983 and respectfully recommends:

1. That approval be given to **Zoning Application 82-46, Catherine Lucelle Aceti, owner**, requesting a change in zoning from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "G" (Neighbourhood Shopping Centre, etc.) District for property located at 56 Frederick Avenue, as shown on the attached plan marked as APPENDIX "A" on the following basis:
 - (a) That approval be given to Official Plan Amendment No. 1, to establish a text amendment to the "Residential" designation for property located at No. 56 Frederick Avenue in order to permit limited neighbourhood commercial and professional office uses in the existing building, and that the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submission to the Ministry of Housing;
 - (b) That the subject lands be rezoned from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "G" (Neighbourhood Shopping Centre, etc.) District;
 - (c) That the "G" District provisions as contained in Section 13 of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following variances as special requirements:
 - (i) that notwithstanding the provisions of Section 13(1) of By-law No. 6593, only the following uses shall be permitted within the existing building located on the subject lands at the date of passing of this by-law:

Residential uses

- (a) One dwelling unit in the same building with a commercial use or a two-family dwelling without commercial uses.

Commercial uses

- (1)
 - (a) professional office, business office, optician's office,
 - (b) photographer's or artist's studio, but not including a motion picture studio,
 - (c) Barber shop, hairdressing establishment, beauty parlour,
 - (d) tailor's shop, shoe repair shop,
 - (e) pharmacy,

- (f) dry cleaning depot - pick-up and delivery only,
 - (g) retail bakery store without a bakery as incidental thereto;
located on the ground floor only.
- (2) Signage to be provided on the following basis:
- A business identification sign that is a wall sign of an occupancy or use, that complies with the following requirements:
- (a) no sign shall exceed 2.0 m in height;
 - (b) the total aggregate area of all the signs shall not exceed 0.5 m^2 for each 0.5 m of exterior lineal face of that part of the building facing Frederick Avenue;
 - (c) every sign shall be parallel to the wall to which it is affixed;
 - (d) no sign shall be illuminated unless the source of light is steady and suitably shielded to contain the illumination.
- (d) That the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-816, and that the subject land on Zoning District Map E-54 be notated S-816;
 - (e) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-54, and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk;
 - (f) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No. 1.

Explanatory Note - The By-law will provide for a change in zoning from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "G" (Neighbourhood Shopping Centre, etc.) District, modified to permit limited neighbourhood commercial and professional office uses on the ground floor, in the existing building established at the date of passing of this by-law, together with an accessory single-family dwelling unit or, a two-family dwelling without commercial uses on property located at No.56 Frederick Avenue as shown on Zoning District Map E-54. Approval of the By-law is also subject to final approval of Official Plan Amendment No. 1, which will establish a "text amendment" to the "Residential" designation to permit the limited commercial uses.

- 2. That approval be given to **Zoning Application 82-51, Kenneth Bernard Cameron and Margaret Ellenor Cameron, owners**, for an amendment to the Zoning Regulations applicable to property located at No. 740 Upper Ottawa Street, as shown on the attached map marked as APPENDIX "B" on the following basis:
 - (a) that notwithstanding Section 9(1)(ii) of By-law No. 6593, the existing two-family dwelling shall be permitted;
 - (b) that the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-817, and that the subject land on Zoning Map E-48 be notated S-817;

- (c) that the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-48 and make application to the Ontario Municipal Board for approval upon completion of its requirements by the City Clerk; and
- (d) that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The By-law will permit the continuance of the existing non-conforming two-family dwelling on the lands located at No. 740 Upper Ottawa Street as shown on the attached District Map E-48 marked as APPENDIX "C".

3. That approval be given to **Official Plan Amendment No. 2**, to establish a change in land use designation from "Residential" to "Commercial" for the lands located at No. 587 James Street North in order to permit the continuance of a legal non-conforming automobile service station, and that the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submission to the Ministry of Municipal Affairs and Housing, and

That approval be given to **Zoning Application 82-52, Petro-Canada Enterprises Inc., owner**, to establish a change in zoning for property located at No. 587 James Street North, as shown on the attached plan marked as APPENDIX "D" on the following basis:

- (a) that the subject lands be rezoned from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District;
- (b) that the "H" (Community Shopping and Commercial, etc.) District regulations applicable to the subject lands be modified as follows:
 - (i) That notwithstanding the provisions of Section 14(i) of By-law No. 6593, only an automobile service station shall be permitted
- (c) that the amending by-law be added to Section 19(b) of Zoning By-law No. 6593 as Schedule S-818, and that the subject land on Zoning District Map W-2 be notated S-818;
- (d) that the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W-2, and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk; and
- (e) that the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No. 2.

Explanatory Note -

The By-law provides for a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District modified, for lands located at No. 587 James Street North.

The purpose of the By-law is to permit the continuance of an existing legal non-conforming automobile service station which was originally erected under the previous "H" District zoning on the property prior to its rezoning to "D" District in 1961.

E

Approval of the By-law is subject to final approval of Official Plan Amendment No. 2, which will establish a change in the land use designation from "Residential" to "Commercial".

4. That approval be given to **Zoning Application 82-49, Celina Zaraliakos, owner**, for an amendment to the Zoning Regulations applicable to property located at No. 16 East 25th Street, as shown on the attached map marked as APPENDIX "E" on the following basis:
- (a) That notwithstanding Sections 2(2)(H)(iii)(f) and (h) of By-law No. 6593 as amended by By-law No. 81-20, hairdressing shall be permitted as a home occupation, limited in operation to one hairdresser who lives on the premises, with not more than one comb-out centre and one hair styling sink.
 - (b) That the amending by-law be added to Section 19(b) of the Zoning By-law No. 6593 as Schedule S-819, and that the subject land on Zoning District Map E-24 be notated S-819.
 - (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law 6593 and Zoning District Map E-24 and make application to the Ontario Municipal Board for approval upon completion of its requirements by the City Clerk.
 - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The By-law will allow a hairdressing business as a home occupation, for one hairdresser only, who resides at the residential property located at No. 16 East 25th Street.

5. That approval be given to amended **Zoning Application ZA 82-34, M.H.Y. Investments Limited, owner**, to include a change in zoning from "G" (Neighbourhood Shopping Centre, etc.) District to modified "G" (Neighbourhood Shopping Centre, etc.) District for lands located at No. 969 Upper Ottawa Street, as shown on the attached plan marked as APPENDIX "F" on the following basis:
- (a) that the "G" (Neighbourhood Shopping Centre etc.) District regulations as contained in Section 13 of Zoning By-law No. 6593 for the subject lands shown as Block 2, be modified on the following basis:
 - (i) that notwithstanding the provisions of Section 13(3)(iii)(c) of By-law No. 6593, a rear yard for the commercial structure shall not apply.
 - (b) that the amending by-law be added to Section 19(b) of Zoning By-law No. 6593 as Schedule S-820, and that the subject land on Zoning District Map E-59A be notated S-820.
 - (c) that the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-59A and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk and
 - (d) that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The by-law will provide for a modification to the existing "G" (Designed Shopping Centre) District to permit the deletion of the required rear yard which is adjacent to the proposed parking area.

6. That approval be given to **Zoning Application 82-59, Amerigo and Anna Cocco, prospective owners**, to establish a change in zoning and modifications to zoning regulations for properties located south of Stone Church Road East in the area east of Leaway Drive, as shown on the plan attached marked as APPENDIX "G" on the following basis:

- (a) That Zoning By-law No. 6593 as amended by By-law No. 80-062 passed by City Council on February 26, 1980 be further amended as follows:
 - (i) that Block 1 be rezoned from "RT-20" (Townhouse and Maisonette) District to "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District;
 - (ii) that Schedule "A" attached to and forming part of By-law No. 80-062 be amended by adding thereto, the lands marked as Block 1 on the attached APPENDIX "G";
 - (iii) that the "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District provisions applicable to the lands marked as Block 1 be amended to the extent only of the following variances as special requirements:
 - (A) that the provisions of Section 2 of By-law No. 80-062 shall apply to the lands marked as Block 1.
- (b) that Block 3 be rezoned from "D" (Urban Protected Residential One and Two-Family Dwellings, etc.) District to "C" (Urban Protected Residential, etc.) District;
- (c) that the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-692A and that the subject land on Zoning District Map E-38c be notated S-692A (Block 1).
- (d) that the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning Map E-38c and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk;
- (e) that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and
- (f) that the Eleanor Neighbourhood Plan be amended accordingly.

Explanatory Note -

The By-law will provide for minor adjustments to the zoning district boundaries for the lands described as Blocks 1 and 3, the location of which is shown on Zoning District Map E-38c, in order to permit the lands to be zoned and developed in conjunction with development on adjoining lands as follows:

Block 1 - Rezoned from "RT-20" (Townhouse and Maisonette) District to "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District, modified to permit small lot single-family detached dwellings. Block 1 is to be developed in conjunction with Block 2, which is presently zoned to permit small lot single-family detached dwellings.

Block 3 - Rezoned from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "C" (Urban Protected Residential) District to permit single-family development in conjunction with abutting lands to the west already zoned "C" (Urban Protected Residential, etc.) District.

7. That approval be given to **Zoning Application 83-05, E. Catania, O. Maiuri, Edith Catania and A. Giannattasio, owners**, requesting a change in zoning from the established "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for lands located to the north of Queenston Road and to the west of Grays Road as shown on the attached plan marked as APPENDIX "H" on the following basis:

- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential etc.) District.
- (b) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-124 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The by-law will provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit the construction of two single-family dwellings.

8. That approval be given to **City Initiative 83-C**, to amend By-law No. 6593 by amending Schedule "A" to By-law No. 77-65 on the following basis:

- (a) That Schedule "A" to By-law No. 77-65 be amended by deleting therefrom the land shown on the attached plan marked as APPENDIX "I";
- (b) That the City Solicitor be directed to prepare a by-law to amend By-law No. 77-65 and Zoning District Maps W-1 and W-2, and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk; and
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The purpose of the by-law is to re-establish the original "F" (Special Waterfront) District zoning applicable to property shown on the attached Zoning District Maps marked as W-1 and W-2, to permit the establishment of a boat tour operation consisting of a dock, ticket office, and parking area facility, on a portion of the City owned harbour park site.

9. WHEREAS it is desirable to allow for the conversion of existing buildings in the "H" (Community Shopping and Commercial, etc.) District to residential dwelling units to provide for the use of non-viable commercial floor space;

AND WHEREAS such conversions would contribute to the revitalization of older extended commercial areas of the City, and as such are in the interest of the general community;

AND WHEREAS such conversions would not conflict with the policies of the Official Plan of the Hamilton Planning Area;

BE IT RESOLVED that the Council of the Corporation of the City of Hamilton adopt the following:-

That approval be given to **City Initiative 83-A** for a modification to Zoning By-law No. 6593 on the following basis:

- (a) that the "H" (Community Shopping and Commercial, etc.) District regulations be modified to include the following variance:
 - (i) that subsection 1 of SECTION FOURTEEN - "H" DISTRICTS of By-law No. 6593 be amended by adding a new clause to the following effect:

"Notwithstanding anything contained in By-law No. 6593, any building or portion thereof existing as of the date of the passing of this By-law, may be converted to provide a maximum of 10 residential dwelling units, provided that:

 - 1. all dwelling units shall have an average minimum floor area of 65.0 square metres; and
 - 2. there shall be a minimum radial separation distance of 180.0 metres from lot line to lot line between any such buildings converted in accordance with this provision.
 - (ii) that the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk;
 - (iii) that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and
 - (iv) that By-law No. 83-50 be repealed.
- (b) That the Building Department be directed to monitor the effects of the by-law and report to the Planning and Development Committee at each meeting, any applications received for conversion.

Explanatory Note - The purpose of the By-law is to provide for a modification to the "H" (Community Shopping and Commercial, etc.) District regulations to permit the conversion of any existing building or portion thereof to a maximum of 10 residential dwelling units. The minimum average floor area for all dwelling units shall be 65.0 square metres (700 square feet), and any building which is converted will have to be separated by at least 180.00 metres (600 feet) from any other building converted in accordance with this provision.

- 10. That **Zoning Application 82-55, P. Barnett Construction Ltd., owner**, requesting a modification to the established "C" (Urban Protected Residential etc.) District, to permit a combined commercial/residential use of vacant lands located at the south-east and south-west corners of Mohawk Road East and Regency Street **be denied** for the following reasons:
 - (a) The proposal would conflict with the intent of both the Official Plan and the Lisgar Neighbourhood Plan which designates the subject lands for "Residential" use;
 - (b) The proposal would increase on-street parking in front of the existing residential properties on Regency Street, and would create unnecessary vehicular conflicts at or near the intersection of Mohawk Road and Regency Street;

- (c) There are sufficient lands within the Lisgar Neighbourhood and the adjoining Huntington Neighbourhood currently designated and zoned commercial to serve the needs of the existing and projected population adequately;
 - (d) The application represents an undesirable spot rezoning of lands within an established residential area, and would be incompatible with adjacent residential development. In addition, approval of the application could establish an undesirable precedent for future similar applications elsewhere.
11. That the following **application fees** be imposed for the processing of **City Applications** administered by the Planning and Development Department:
- (a) That a new fee of \$100.00 be established for Official Plan Amendment applications, and that it be increased to \$105.00 (a 5 % increase) in 1984.
 - (b) That the existing \$100.00 fee for zoning applications be increased to \$106.00 (a 6 % increase), and in 1984 it be increased to \$111.00 (approximately a 5 % increase).
 - (c) That a new fee of \$50.00 be charged for site plan applications and \$25.00 for a revision to an approved plan, and that in 1984 the site plan application fee be increased to \$53.00 (approximately a 5 % increase). No increase is recommended for a revised plan.
 - (d) That the above application fees be reviewed again in 1984 for possible adjustments in 1985, and thereafter be reviewed at two-year intervals.
 - (e) That the City Solicitor be directed to prepare a by-law to adopt the above fees, effective April 1, 1983, with the proposed 5 % increases scheduled for 1984 to take effect on January 1, 1984.
12. That respecting the **Environmentally Sensitive Area - Toll Gate Ponds (Piers 25 - 27)**
- (a) the Environmental Impact Statement, prepared for Piers 25 to 27 by Ecologistics Limited at the request of the Hamilton Harbour Commissioners, be endorsed;
 - (b) Schedule "D" of the Official Plan be refined to reflect accurately the location of this Environmentally Sensitive Area on Pier 27 when the annual Official Plan review is undertaken;
 - (c) this Environmentally Sensitive Area (identified on Figure 7 in a report prepared by Ecologistics Ltd. titled East Port Piers 25 to 27 and Hydro Islands - Environmental Impact Statement - June 1982) be zoned appropriately in the Harbour Zoning By-law currently being prepared; and
 - (d) this report and recommendations be forwarded to Regional Council for its endorsement.

Explanatory Note - Subsection A.3.2 - Environmentally Sensitive Areas - of the Official Plan requires that a Feasibility Study and Impact Analysis (or Environmental Impact Statement) be undertaken where development or redevelopment is proposed on lands designated as Environmentally Sensitive.

13. That City Council endorse the **Regional Condominium Conversion Policy**, with the following addition:-

(a) This policy will be reviewed from time to time as deemed appropriate.

Explanatory Note - Regional Council, through Item 1 of Planning and Development Committee Report 20-82 (approved November 16, 1982), requested the City's comments within 90 days on the Interim Regional Condominium Conversion Policy.

14. That the Chairman or his nominee be authorized to attend the **American Planning Association Conference** to be held in the City of Seattle, Washington from April 16 to 21, 1983.
15. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-
- | | |
|------------------------|-----------------------------|
| 149 Belview Avenue | 14 Ferndale Avenue |
| 206 James Street South | 541 Kenilworth Avenue North |
16. That the City Solicitor be instructed to prepare a By-law directing the Building Commissioner to take all necessary steps to have the front steps and chimney rebuilt at property located at No. 23 Dalkeith Avenue.
17. (a) That the date stated in the Contract of Purchase and Sale between the Corporation of the City of Hamilton and Miralletto Holdings Limited for obtaining a Building Permit relating to the **Energy Efficient Housing Development - Ryerson Project** be extended from February 28, 1983 to May 9, 1983; and
- (b) That the request by Miralletto Holdings Limited for a change of design consultants from Stinson, Montgomery, Sisam Architects of Toronto to The Munro Group Incorporated of Hamilton be granted, subject to retention of the winning architectural concept and energy efficient characteristics.
18. With reference to the **Proposed Sale to Ontario Land Corporation of Parts 2 and 3, 62R-6238 - Caroga Court: Gilkson Gardens**, that the offer to purchase from Ontario Land Corporation for the price of \$450.00 and \$3,800.00 respectively, be approved.
19. In respect of the following six residential properties expropriated on February 11, 1983 to acquire lands and premises erected or used for a purpose contrary to a by-law passed under Section 39 of The Planning Act, **that the City Clerk be authorized to:**
- (a) Sign and serve Notice in accordance with Section 41 of The Expropriation Act that possession of the property is required;
- (b) Sign and serve Offers of Compensation for the expropriated land as follows:

ADDRESS	COMPENSATION	FORMER OWNER(S)	OTHERS
760 Burlington St.E.	\$12,000.00	Sarmor Properties Limited	None
766 Burlington St.E.	\$20,000.00	Estate of Marina Terpilo, c/o Filip Terpilo and Nina Terpilo - Executors	Nina Terpilo and Filip Terpilo - Beneficiaries Canadian Westinghouse Employees (Hamilton Works) Credit Union Limited - Mortgagee
1 Keele Street	\$24,000.00	Lidia Braun	Thomas Baker and Sharlene Baker - Owners as per Agreement Sale Pacific Finance Acceptance Co. Ltd. - Encumbrancer Anton Braun - Spouse of Owner
410 Sherman Ave. N.	\$11,000.00	Audrey M. Bojin	The Continental Insurance Co. - Mortgagee Kovax Corp. Ltd. - Execution Creditor Peter Bojin - Spouse of Owner
414 Sherman Ave. N. Mortgagee	\$27,000.00	Lilian A. Florek Estate of Zygmunt B. Florek	Bank of Montreal - The Law Society of Upper Canada, Legal Aid - Execution Creditor
6 Alpha Street	\$22,000.00	Lionel J. Lecouter Shirley I. Lecouter	Kinross Mortgage Corp. - Mortgagee Sovereign Seat Cover Mfg. Ltd. - Execution Creditor Canadian Imperial Bank of Commerce - Execution Creditor The Law Society of Upper Canada, Legal Aid - Execution Creditor

Explanatory Note -

On January 11, 1983, City Council passed Expropriation By-law No. 83-34 to authorize the expropriation of the said six residences, in order to acquire lands and premises which were used or erected for a purpose that does not conform with by-laws under Section 39 of The Planning Act. Pursuant to the Expropriation By-law, expropriation plans were registered on February 11, 1983, to vest ownership of the said properties in the name of the City.

In accordance with The Expropriations Act, the next step is for the City to make its Offers of Compensation of the market value of the realty and Notice of Possession. Five of the said Offers are based upon appraisals of each property prepared by an independent appraiser. A copy of each appraisal will be served with the Offer of Compensation. The said Offers of Compensation and Notice of Possession are recommended by the Director of Real Estate.

The City's offer of \$22,000.00 for 6 Alpha Street is the same market value of realty which the former owners have agreed to accept as part of their settlement with the City. On January 25, 1983, in adopting Item 12 of the 3rd Report of the Planning and Development Committee, City Council approved the settlement of their expropriation and the purchase of their property for the total amount of \$24,000.00. The said offer of \$22,000.00 and Notice of Possession is being recommended now for approval in order to preserve the City's rights in 6 Alpha Street pursuant to The Expropriation Act.

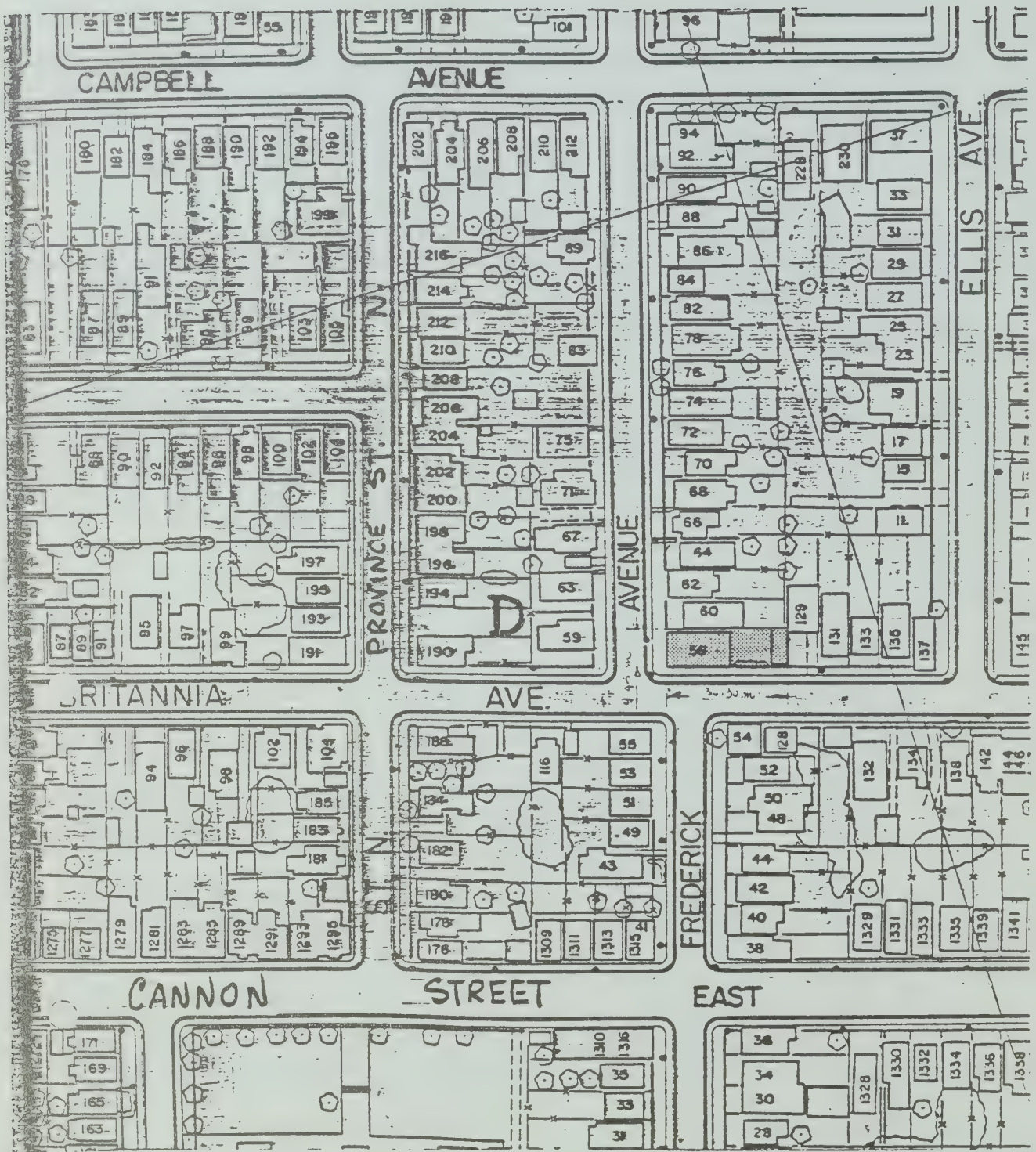
20. That leave be granted to introduce the following Bills:-

- (a) Bill D-39 - By-law to Amend Zoning By-law No. 69-213 respecting land located at Municipal No. 55 Wendover Drive
- (b) Bill D-40 - By-law to Authorize Demolition of the Building located at Municipal No. 218 Weir Street North
- (c) Bill D-41 - By-law to Amend Zoning By-law No. 6593 respecting land located at Municipal Nos. 22 to 24 Homewood Avenue
- (d) Bill D-42 - By-law to Amend Zoning By-law No. 6593 respecting land located at Municipal Nos. 13 to 21 Bold Street
- (e) Bill D-43 - By-law to Amend Zoning By-law No. 6593 respecting land located at Municipal No. 1036 Upper Wentworth Street
- (f) Bill D-44 - By-law to Repeal By-laws Nos. 82-102 and 82-198 respecting land located at Municipal Nos. 74 West Avenue North and 142 Burlington Street East
- (g) Bill D-45 - By-law to Repeat Zoning By-law No. 83-50 respecting the "H" (Community Shopping and Commercial, etc.) District
- (h) Bill D-46 - By-law to Amend Zoning By-law No. 6593 respecting the "H" (Community Shopping and Commercial, etc.) District
- (i) Bill D-47 - By-law to Define as a Heritage Conservation District the area located generally on James Street North, between King Street and Barton Street

Respectfully submitted

JDT:bg
February 23, 1983

Alderman W. M. McCulloch
Chairman

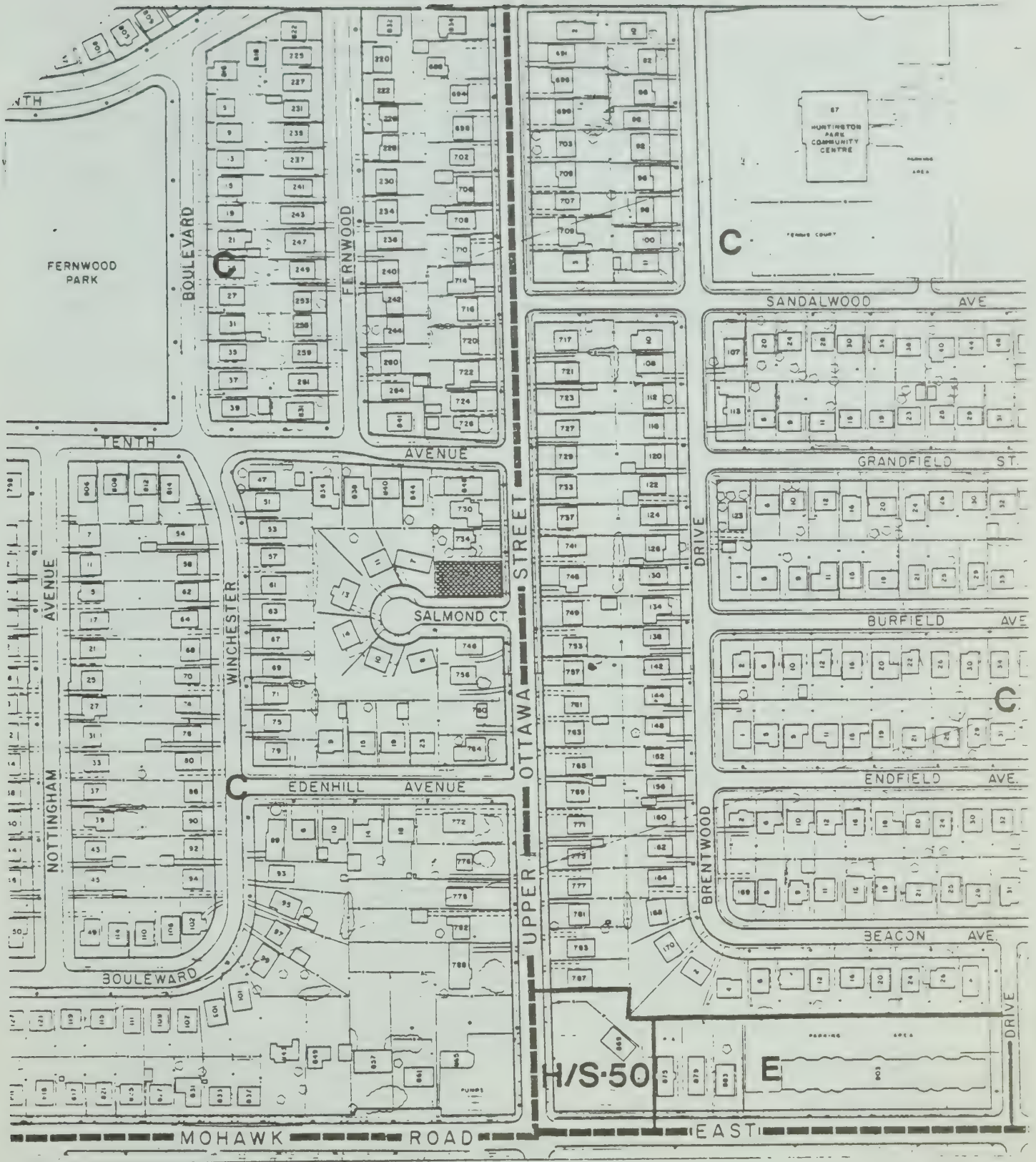


SITE OF THE APPLICATION

2A 82-46
E-54

APPENDIX "A"

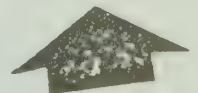
APPENDIX "A"



LEGEND



Location of No. 740 Upper Ottawa Street.

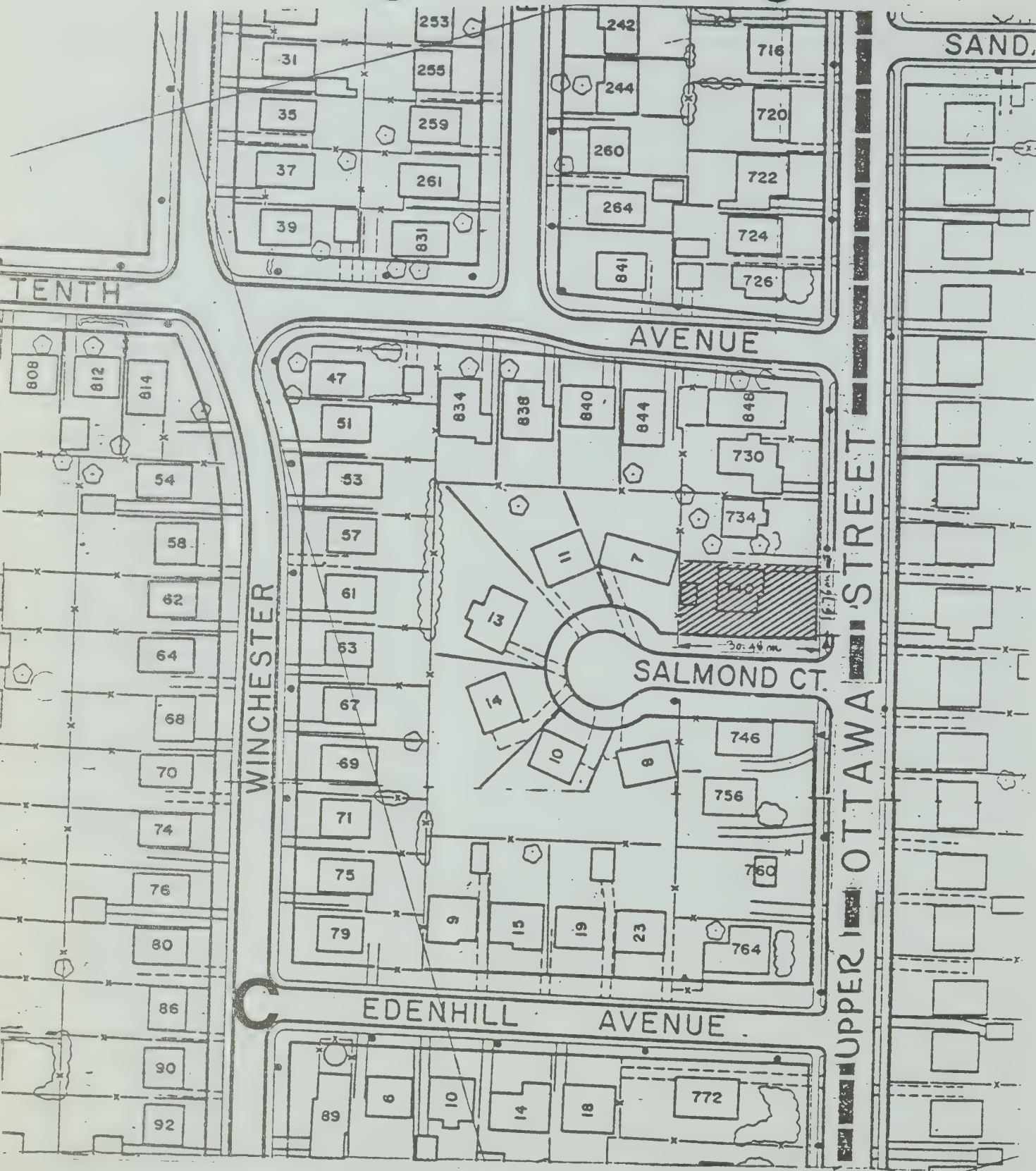


APPENDIX "B"

D-13

APPENDIX "B" 2A82-51

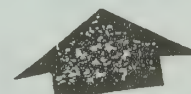
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LEGEND.



SITE OF THE APPLICATION

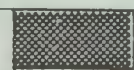


2A 82-51

E-49



LEGEND.



SITE OF THE APPLICATION



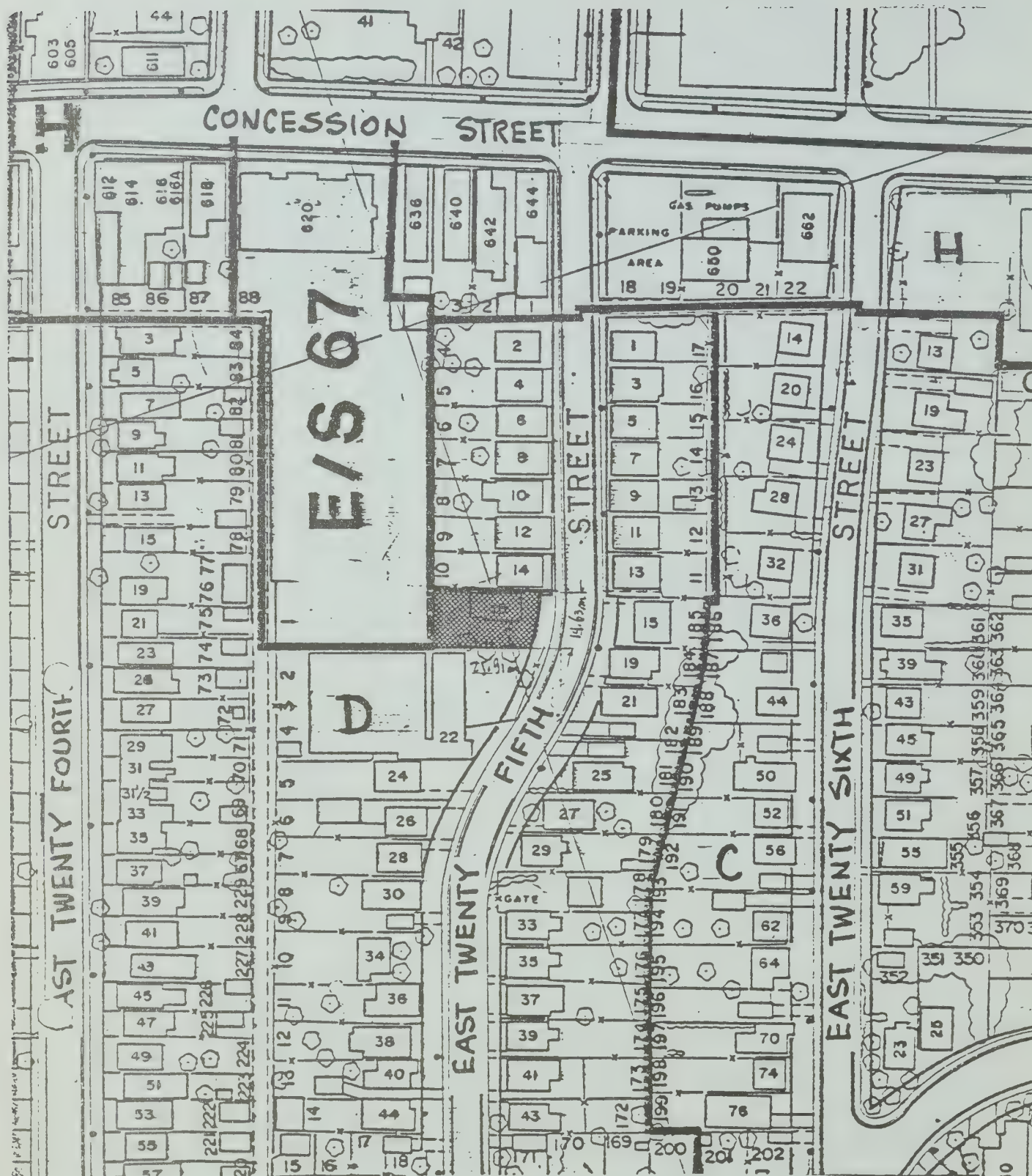
2482-52
W-2

APPENDIX "D"

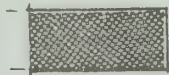
D-15

APPENDIX "D"

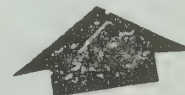
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LEGEND.

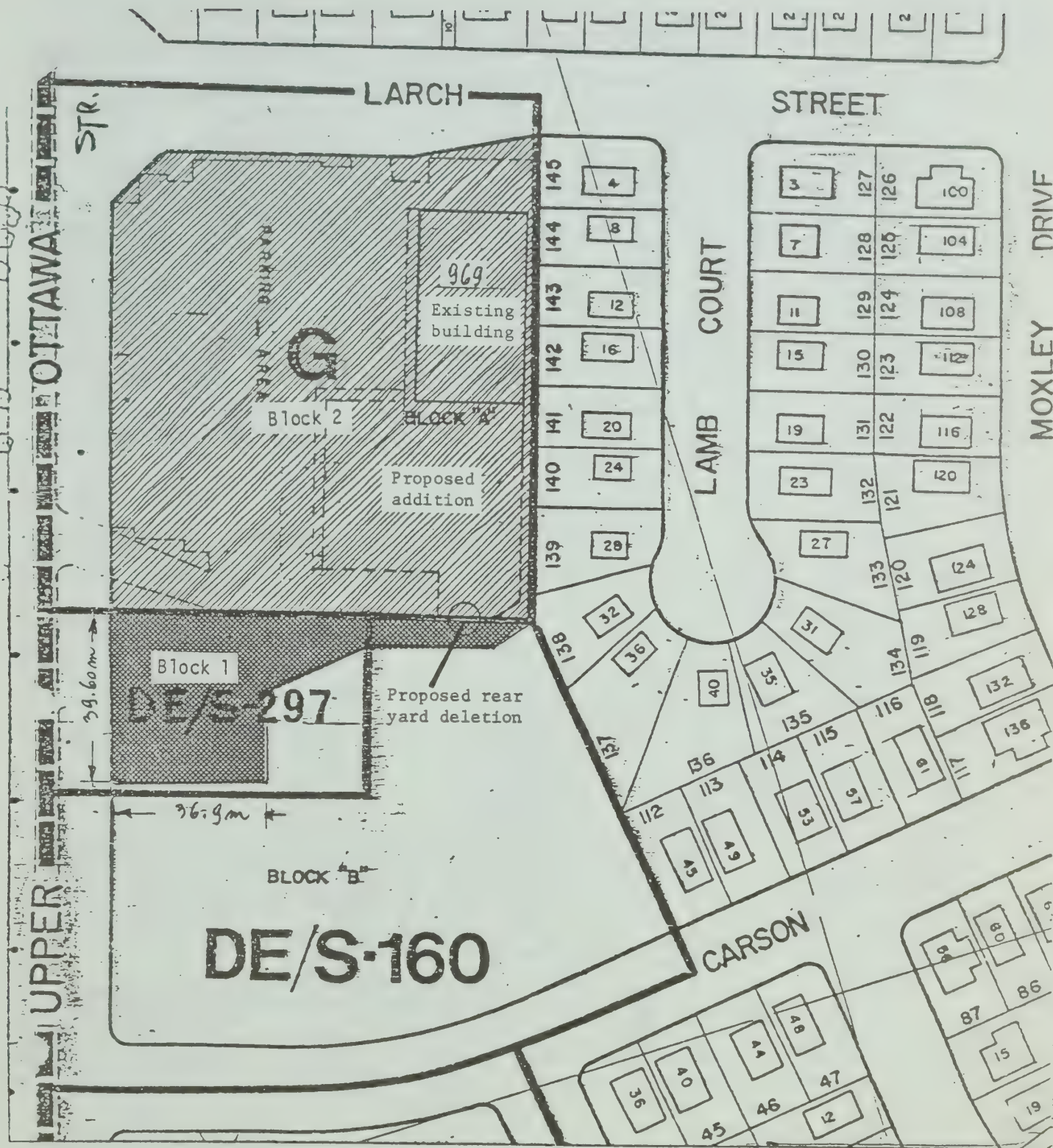


SITE OF THE APPLICATION



2A 82-49

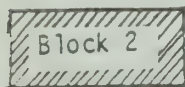
E-24



LEGEND



Change in zoning from "DE" (Low Density Multiple Dwellings) District to "G-3" (Public Parking Lots) District. (As approved by Council on October 26, 1982)



Location of Plaza at No. 969 Upper Ottawa Street to permit a 0.0 m rear yard on the southerly district boundary line.

APPENDIX "F"

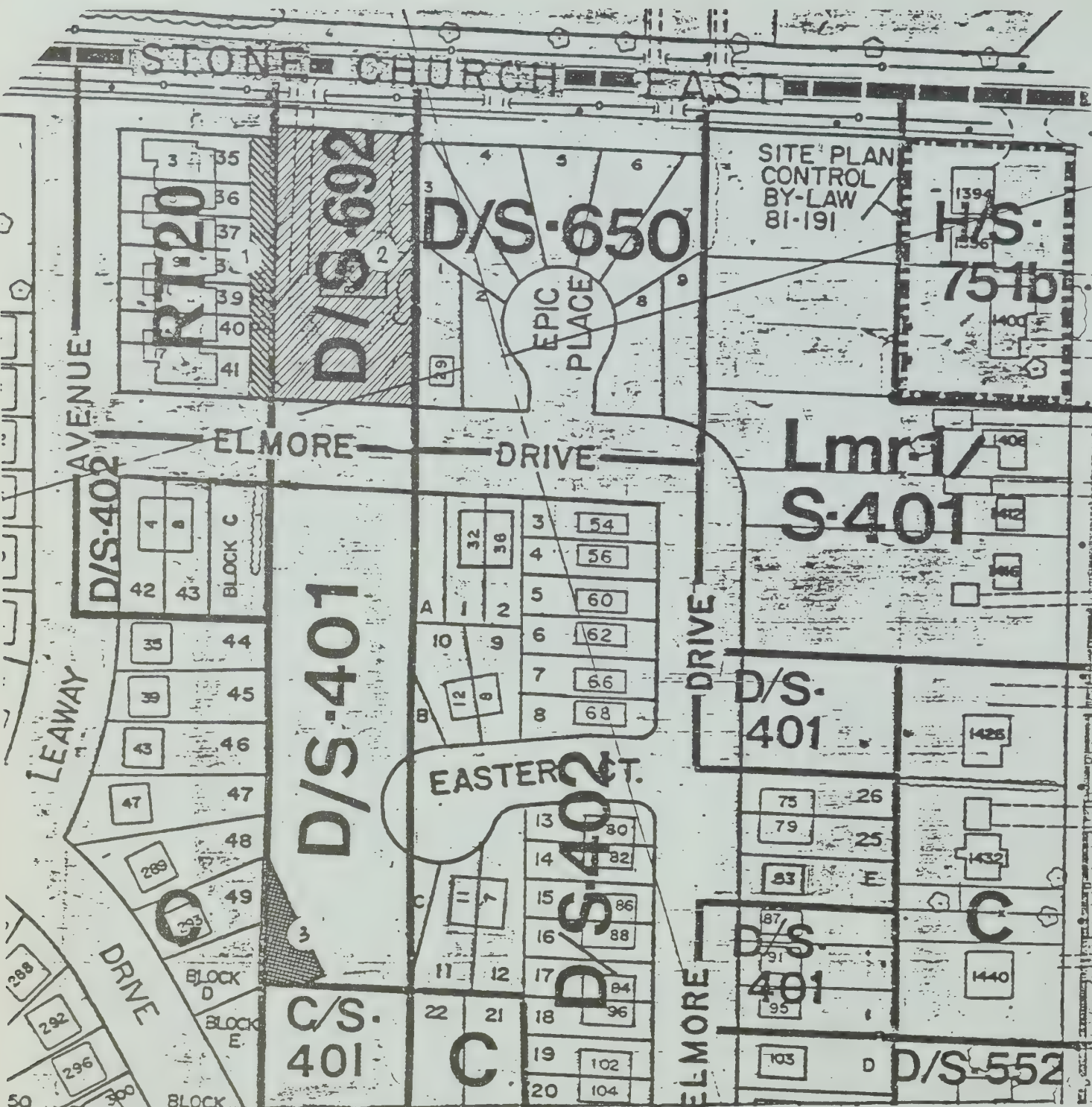
D-17

APPENDIX "F"

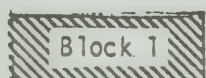


2A 82-34
E-59A

E



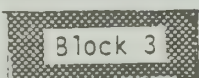
LEGEND



Change in zoning from "RT-20" to "D" - modified



Lands to be developed for Small Lot Single-Family Dwellings

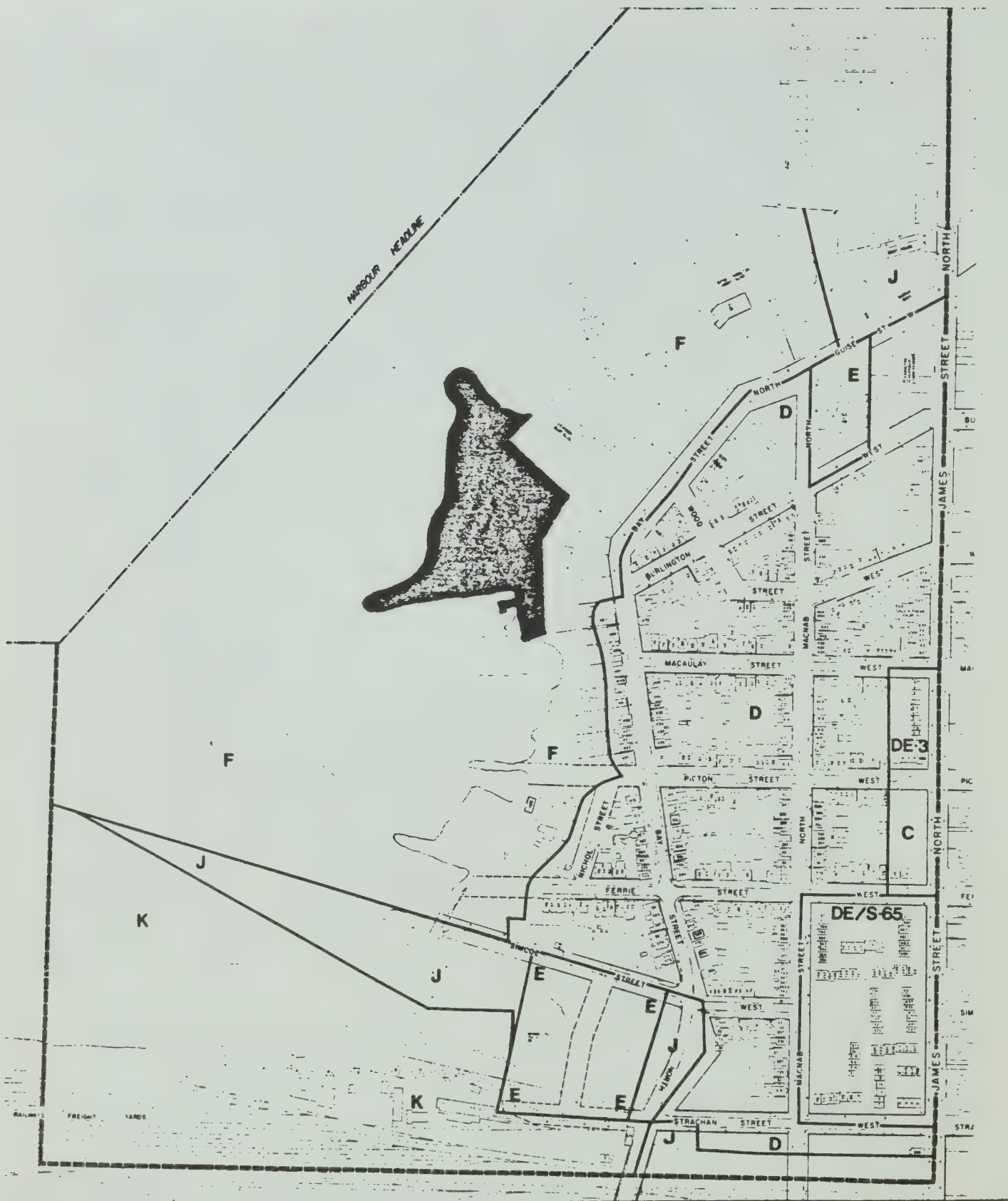


Change in zoning from "D" to "C" to permit Single-Family Dwellings



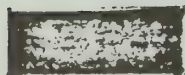
E-38c

24 82-59



C.I. 83-C

LEGEND



Lands to be deleted from Schedule "A" to By-law No. 77-65.

APPENDIX "I"

APPENDIX "I"

REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its **EIGHTH** Report for 1983 and respectfully recommends:

GRANTS AND CIVIC HOSPITALITY

1. That a grant in the amount of \$250.00 be made to the Mount Hamilton Minor Hockey Association to be used to assist in defraying expenses to be incurred in staging and hosting the Friendship Hockey Tournament to be held in the City of Hamilton, April 1 - 3, 1983 at the Mountain Arena. This Tournament will bring together approximately 156 boys from across Ontario aged 7 to 8.
2. That a grant in the amount of \$1,200.00 be made to the Hamilton Professional Firefighters Association to be used to assist in defraying expenses to be incurred in providing a banquet to the delegates attending the Canadian Association of Firefighters' 1983 Convention to be held in the City of Hamilton, August 7 - 11, 1983. Approximately 375 firefighters and spouses are expected to attend.
3. That a grant in the amount of \$300.00 be made to Valentino's Bakery Bantam Hockey Club to be used to assist in offsetting expenses incurred in staging and hosting the Annual Home and Home Hockey Series with Pembroke, Ontario, which was held in the City of Hamilton, February 18, 19 and 20, 1983. Approximately 300 hockey players, parents, coaches, managers, and friends participated in this annual event.
4. That a grant in the amount of \$1,500.00 be made to the National Prisoners of War Association, Hamilton Chapter, to be used to assist in defraying expenses to be incurred in staging and hosting and Bi-Annual Convention of the Association to be held in the City of Hamilton, August 4 - 7, 1983. This convention will bring together members of the P.O.W. Association from across Canada as well as visitors from Great Britain, Australia, New Zealand and France.
5. That the actual cost of ice time not to exceed \$3,600.00 be paid to the Department of Culture and Recreation on behalf of the Ontario Federation of School Athletic Associations who are holding their 16 Team All Ontario Hockey Championship Tournament in the City of Hamilton from March 17 - 19, 1983, consisting of 24 games to be played at the Lawfield, Rosedale and Mountain Arenas. Estimated attendance, 500 competitors and 3,000 supporters.
6. That a grant in the amount of \$300.00 be made to the Hamilton and District Five Pin Bowlers Association to assist in defraying expenses in connection with their Open Five Pin Bowling Tournament to be held in the City of Hamilton from March 30 to April 2, 1983. Estimated attendance, 600 bowlers.

7. That no action be taken on the request from the Dundas J.C.'s for a grant in the amount of \$2,500.00 to assist in defraying expenses in connection with hosting the J.C.'s National Convention to be held in the City of Hamilton from July 6 - 9, 1983. Estimated attendance, 600 delegates.
8. That a grant in the amount of \$500.00 be made to the United Way to assist in defraying expenses in connection with a "Labour Appreciation Night" to be held at the Hamilton Convention Centre on March 30, 1983. Estimated attendance, 500 guests.
9. That a grant in the amount of \$900.00 be made to the Hamilton Bowlers Minor Hockey Association to assist in defraying expenses in connection with their Minor Hockey Tournament to be held in the City of Hamilton from April 15 - 17, 1983. Estimated attendance, 300 participants.
10. That the City of Hamilton donate 6 medals to the Hamilton Camera Club to be presented at its annual City of Hamilton competition on April 4, 1983. Estimated cost, \$300.00.

CIVIC AWARDS

11. That Civic Awards be made to the following:
 - (a) Mr. Douglas Bailey of the Hamilton City Chess Club, who recently won the Canadian Junior Chess Championship.
 - (b) Mr. Bruce Eccles and Mr. Ray Little of the Steel City Riders Motorcycle Club, who recently brought honours to the City of Hamilton by winning Provincial championships.
 - (c) Mr. Donny McVicar, Mr. Jerry Wells, Ms. Ann Connelly and Ms. Eileen Cookson of the Steel City Powerlifting Club, who recently won Ontario and Canadian championships in powerlifting.

CITY HALL FACILITIES

12. That the MacNab Street Y.W.C.A. be permitted to use the City Hall Forecourt on June 23, 1983 from 11:00 a.m. to 3:30 p.m. for the purpose of holding their annual Strawberry Festival.
13. That the United Croats of Canada (Hamilton Branch) be permitted to fly the Croatian Flag on City Hall on April 10, 1983 in recognition of the Croatian Independence Day.

RESOLUTIONS

14. That **no action** be taken on the following resolution:

(a) City of Stratford

"WHEREAS the conversion to daylight saving time for part of the year is strongly supported both by tradition and individual preference;

AND WHEREAS Daylight Saving Time has been identified as making significant contributions to energy conservation;

AND WHEREAS year round conversion to DST is not suitable because it causes children to walk to school in semi-darkness during part of the year;

AND WHEREAS suitable daylight conditions are deemed to exist for four months after the summer solstice;

NOW THEREFORE BE IT RESOLVED, that the City of Stratford favours the commencement of Daylight Saving Time on the last Sunday in February of each year;

AND BE IT FURTHER RESOLVED that this resolution be forwarded to all municipalities with populations in excess of 20,000."

OTHER

15. That Staff meet with the Women's Centre, the Hamilton District Council of Women, the Status of Women Sub-committee, the Hamilton Independent Variety and Confectionery Stores Inc., and the Mountain City News, through their representatives, to work out another approach or approaches to the establishment of a regulating by-law regarding the display of erotic magazines in our community's stores.
16. For the information of the Members of City Council, the Legislation Committee has appointed the following to the Status of Women Sub-committee for a term expiring November 30, 1985.

Irene Stayshyn
Barbara Chambers
Evelyn Olejnik
Mimma Musitano
Ollie Thomson
Karen March
Doreen Johnson
Joan Balinson
Anne Stewart
Mary Jo McLaren
Teresa Marchildon
Sandi Bell
Catherine L. Vanderlip
Jack Long

17. That Mayor R. Morrow be authorized to serve on the Board of Directors of the Federation of Canadian Municipalities, and that any expenses associated with this position be paid by the City of Hamilton.
18. That the Mayor be authorized to issue a proclamation proclaiming Daylight Saving Time in the City of Hamilton from 2:00 a.m. Sunday April 24, 1983 to 2:00 a.m. Sunday, October 30, 1983.
19. That notwithstanding Section 4 of the Seventh Report of the Legislation Committee, adopted by City Council on February 22, 1983, and reading as follows:-

"4. That the Minister of Municipal Affairs and Housing be requested to amend the Municipal Act to allow municipalities **to permit fences upon the road allowance** adjacent to industrial, institutional, commercial and residential lands so as to indemnify and save the municipality harmless from all actions, causes of action,

interest, claims, demands, costs, damages, expenses and loss. The Committee also recommends that no further action be taken at this time in respect of the removal of fence encroachments in the City of Hamilton until the request for amending legislation has been considered by the Provincial Government."

the Regional Commissioner of Engineering and the City Traffic Commissioner be directed to continue to enforce the provisions of the Streets By-law in cases where illegal fences **pose a hazard** to vehicular or pedestrian traffic.

20. That leave be granted to introduce the following Bills:-

- (a) Bill D-10 - By-law to Amend Procedural By-law No. 82-203 respecting Lloyd D. Jackson Square
- (b) Bill E-11 - By-law to confirm proceedings of the Council of the Corporation of the City of Hamilton

Respectfully submitted

SGH:bg
March 1 and 2, 1983

Alderman V. J. Agro, Chairman
Legislation Committee

REPORT OF THE NOMINATING COMMITTEE
TO RECOMMEND APPOINTMENTS TO VARIOUS BOARDS AND COMMITTEES

To the Council of The Corporation of the City of Hamilton.

Members of Council:-

The Nominating Committee presents its SIXTH Report and respectfully recommends approval of the following appointments:-

1. HAMILTON HYDRO-ELECTRIC COMMISSION

TERM OF OFFICE
Expires November 30, 1985

2. CANADIAN FOOTBALL HALL OF FAME
MANAGEMENT COMMITTEE

TERM OF OFFICE
Expires December 31, 1983

RESPECTFULLY SUBMITTED,

MAYOR R. M. MORROW,
CHAIRMAN.

March 8, 1983.

MAR 7 1983

Bill No. A-15

AGENDA-March 8

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Local Improvement By-law No. 10605

Respecting:

REVISED COSTS TO THE CORPORATION FOR THE
INSTALLATION OF LOCAL IMPROVEMENTS

WHEREAS By-law No. 10605, passed on the 15th day of December, 1964, as amended by By-law No. 67-150, passed on the 9th day of May, 1967; By-law No. 73-72, passed on the 27th day of February, 1973; By-law No. 80-127, passed on the 29th day of April, 1980; By-law No. 80-156, passed on the 13th day of May, 1980 and By-law No. 82-40, passed on the 9th day of February, 1982, provided for the undertaking of local improvements in accordance with The Local Improvement Act;

AND WHEREAS it is desirable to increase the local improvement rates per metre frontage charged against abutting lands for work done under The Local Improvement Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Paragraphs 2, 3, 4, and 5 of subsection 4a of section 13 of By-law No. 10605, as enacted by section 1 of By-law No. 73-72 and re-enacted by section 2 of By-law No. 80-127 and section 1 of By-law No. 82-40, are repealed and the following substituted therefor:

2. For sidewalks only at the rate of \$42.50 per metre frontage.
3. For sidewalks and independent curbs or combined sidewalks and curbs, at the rate of \$51.00 per metre frontage.
4. For roadway only, at the rate of \$106.00 per metre frontage.
5. For roadway and curb only in industrial subdivisions, at the rate of \$128.00 per metre frontage.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 4 R.T.E.C. 14, February 8

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 83 -

TO WIDEN FIONA CRESCENT, EAST SIDE, NORTH
OF BRIGADOON DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to widen a portion of the highway known as Fiona Crescent by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Fiona Crescent.
2. The City Engineer or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 19 83.

City Clerk

Mayor

(1982) 15 R.T.E.C. 41, September 28

SCHEDULE "A"

FIRST:-

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Lot 17, Concession 7, Township of Barton and which said parcel may be more particularly described as all of Part 1, as shown on a Plan of Expropriation registered in the Land Registry Office for the Registry Division of Wentworth on June 30th, 1982, as Instrument No. 218189 C.D.

SECONDLY:-

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of all of Block 'AX', according to Brigadoon Village, filed in the Land Titles Division of the Land Registry Office for the Registry Division of Wentworth as Plan M-136.

By-law No. 83 -

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:-

Traffic

1. Schedule 29 (No Stopping Areas) of By-law 66-100 To Regulate Traffic passed on the 29th day of March 1966, is hereby amended by adding to Section A (No Stopping Anytime) the following item, namely:-

"Locke	East	Charlton to a point 86 feet northerly".
--------	------	--------------------------------------------

PASSED this day of , A.D. 1983.

City Clerk

Mayor

(1983) 6 R.T.E.C., March 8

By-law No. 83 -

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 26 (No Parking Areas) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966, is hereby amended by adding thereto the following item, namely:-

"Claudette	North	Garth to easterly end".
------------	-------	-------------------------

and by deleting therefrom the following item, namely:-

"Bold	North	From 47 ft. west of Caroline to 38 ft. westerly".
-------	-------	---------------------------------------------------

2. Schedule 26A (No Parking Areas) is hereby amended by adding to Section F (No Parking 8:00 A.M. to 4:00 P.M., Monday to Friday) the following items, namely:-

"Claudette	South	Garth to easterly end
West 35th	Both	Leslie to southerly end
Bendamere	Both	West 35th to West 34th".

3. Schedule 25 (Parking Time Limits) is hereby amended by adding to Section 3 (Half Hour Limit) the following item, namely:-

"Bold	North	Commencing at a point 54 feet west of Caroline to a point 33 feet westerly therefrom".
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PASSED this day of , A.D. 1983.

City Clerk

Mayor

(1983) 6 R.T.E.C, March 8

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 69-213

Respecting:

LAND LOCATED AT MUNICIPAL NO. 55 WENDOVER DRIVE

WHEREAS By-law No. 69-213, passed on the 30th day of September, 1969 and approved by the Ontario Municipal Board by Order dated the 31st day of July, 1970, (File No. R 1558-70), rezoned ten Blocks of land as therein set out with separate site plans annexed to the said by-law for each Block of land;

AND WHEREAS site plan Schedule "B8" was deleted by section 4 of By-law No. 82-159, passed on the 27th day of July, 1982;

AND WHEREAS it is intended to establish a Revised Schedule "B8" to By-law No. 69-213;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Clause (a) of section 2 of By-law No. 69-213 is amended by striking out "B8" in the second line and inserting in lieu thereof "Revised Schedule "B8"".
2. Section 2 of By-law No. 69-213 is amended by,
 - (a) adding at the end of the 11th line,
"the following special requirements";
 - (b) by adding the following clauses thereto:
 - (c) Notwithstanding section 11B(5) of By-law No. 6593, a gross floor area not exceeding 103,600 square feet shall be permitted;
 - (d) Notwithstanding section 18(3)(iv) of By-law No. 6593, the parking area shall be permitted not less than four feet from the multiple dwelling.
3. Revised Schedule "B8" is hereto annexed as Schedule "A" and forms part of this by-law.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-110b".

5. Sheet No. W-37A of the District Maps is amended by marking the land referred to as Block 8 in subsection (2) of section 1 of By-law No. 69-213, as "S-110b".

6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

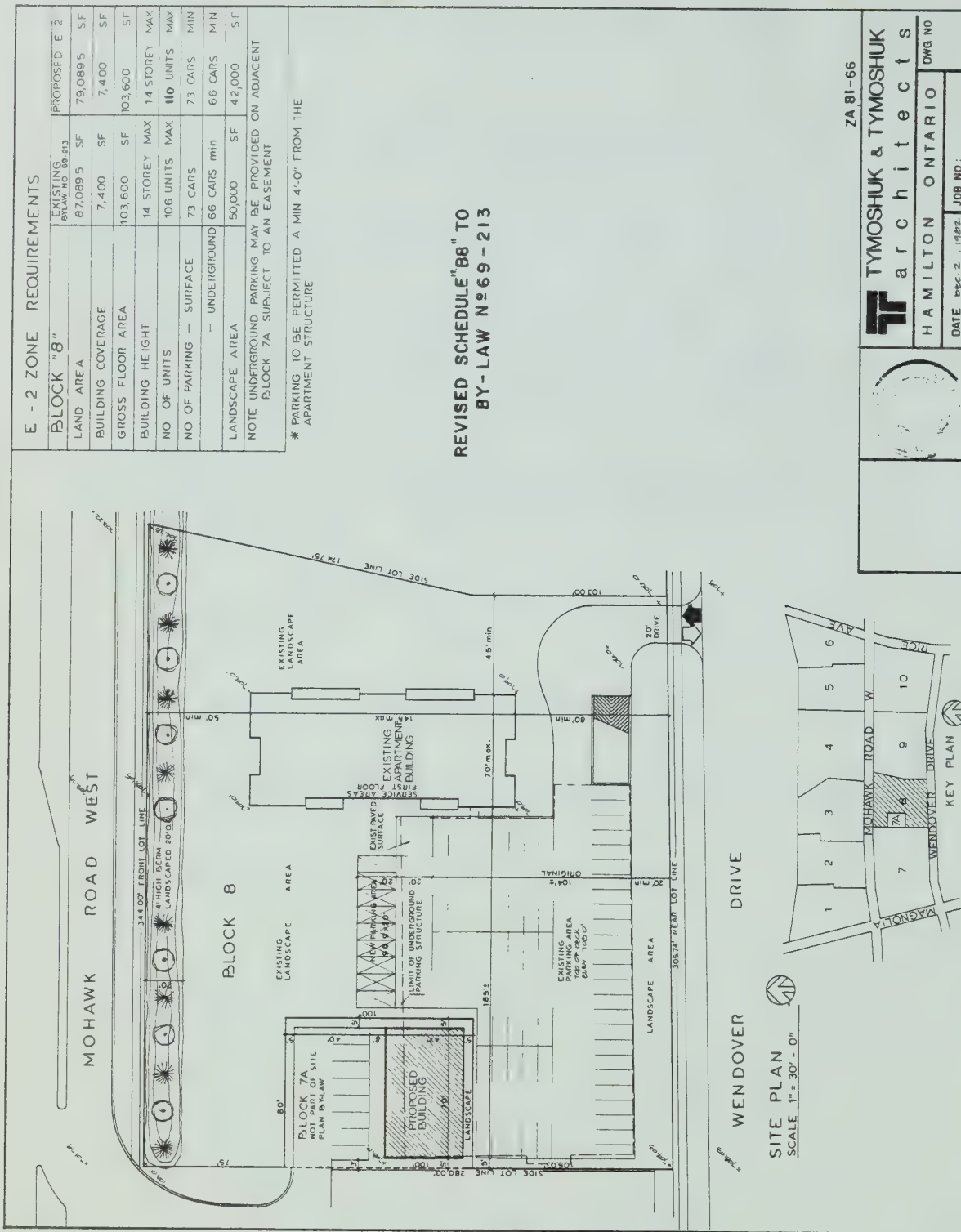
7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 2 R.P.D.C. 2, January 11
Greti Development Company Limited, Owner
ZA-81-66



ZA 81-66

TYMOSHUK & TYMOSHUK
architects

HAMILTON ONTARIO

DATE Dec. 2, 1982 JOB NO:

Bill No. D-39

This is Schedule "A" to By-law No. 63- passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Authorize:

DEMOLITION OF THE BUILDING LOCATED AT
MUNICIPAL NO. 218 WEIR STREET NORTH

WHEREAS subsection 4 of Section 10 of The Ontario Building Code Act, R.S.O. 1980, Chapter 51 provides as follows:

(4) Where the chief official has made an order under subsection 2 and considers it necessary for the safety of the public, he may cause the building to be renovated, repaired or demolished for the purpose of removing the unsafe condition or take such action as he considers necessary for the protection of the public and, where the building is in a municipality, the cost of the renovation, repair, demolition or other action may be added by the clerk to the collector's roll and collected in like manner as municipal taxes;

AND WHEREAS the chief official has made orders to comply in accordance with subsection 2 of section 10 of the said Act;

AND WHEREAS the chief official considers it necessary for the safety of the public to cause the building to be demolished or the purpose of removing the unsafe condition;

AND WHEREAS it is desirable to authorize the chief official to proceed to cause the building to be demolished;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The chief official, being the Building Commissioner, is hereby authorized to proceed to cause the building situate on the land more particularly described in schedule "A" hereto annexed, to be demolished.
2. The clerk is hereby authorized to proceed to add the cost of the demolition referred to in section 1 to the collector's roll and the cost so added shall be collected in like manner as municipal taxes.

PASSED this day of A.D. 1983.

CITY CLERK

MAYOR

(1983) 5 R.P.D.C. 8, February 22

BY-LAW NO. 83-

SCHEDULE "A"

218 WEIR STREET NORTH

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Hamilton in the county of Wentworth and being composed of all of Lot Number 195 having a frontage of Twenty-Five Feet (25') on the East side of Weir Street and a depth of One Hundred Feet (100') to an alley according to a plan of Fairfield Survey registered as Plan No. 502 in the Registry Office for the Registry Division of Wentworth. SUBJECT TO a right-of-way over, along and upon the Northerly Five Feet Four Inches (5'4") of the Westerly Sixty Feet (60') of the herein described parcel of land; together with a right-of-way over, along and upon the Southerly Two Feet Eight Inches (2'8") of the Westerly Sixty Feet (60') of Lot Number 196 Fairfield Survey registered as Plan NO. 502 being the lands immediately to the North of the herein described parcel of land; the said strips of land to form a mutual right-of-way for the occupants from time to time of the house on the lands hereby conveyed and the occupants of the house on the lands immediately to the North thereof.

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 22 to 24 HOMEWOOD AVENUE

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following special requirement that,

- (a) notwithstanding sections 10(1) and 19(vii) of By-law No. 6593, the existing building may be used as a multiple dwelling containing not more than four Class "A" dwelling units.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-812".

4. Sheet No. W-14 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-812".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 4 R.P.D.C. 2, February 8
H.J. Rerup and L. Doering, Owners
ZA-82-57

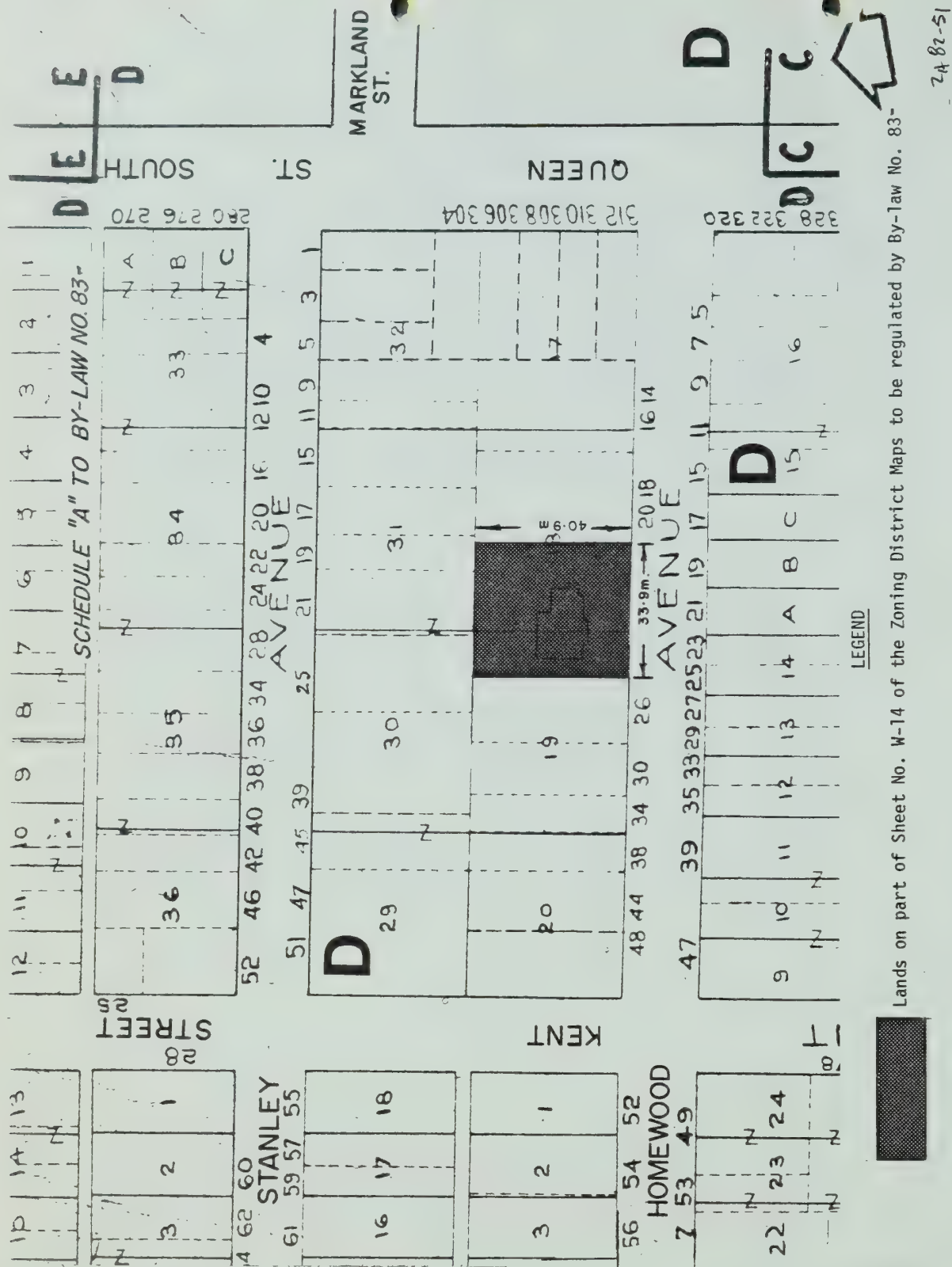
This is Schedule: "A" to By-law No. 83- passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

Bill No. D-41



The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 13 to 21 BOLD STREET

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following special requirement that,

(a) notwithstanding section 1 of By-law No. 80-219, passed on the 29th day of July, 1980 and approved by the Ontario Municipal Board on the 29th day of September, 1980, and in addition to the uses permitted by section 11A(1)(iii) of By-law No. 6593, the following

(i) COMMERCIAL USE shall be permitted in the basement of the existing building, provided that subclauses (a), (c), (e), (f) and (g) of section 11A(1)(iii) shall apply:

1. A retail bookstore.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E-1" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-719a".

4. Sheet No. W-5 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-719a".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 4 R.P.D.C. 1, February 8
Herman Turkstra, Owner
ZA-82-54

This is Schedule "A" to By-law No. 83- passed the day of

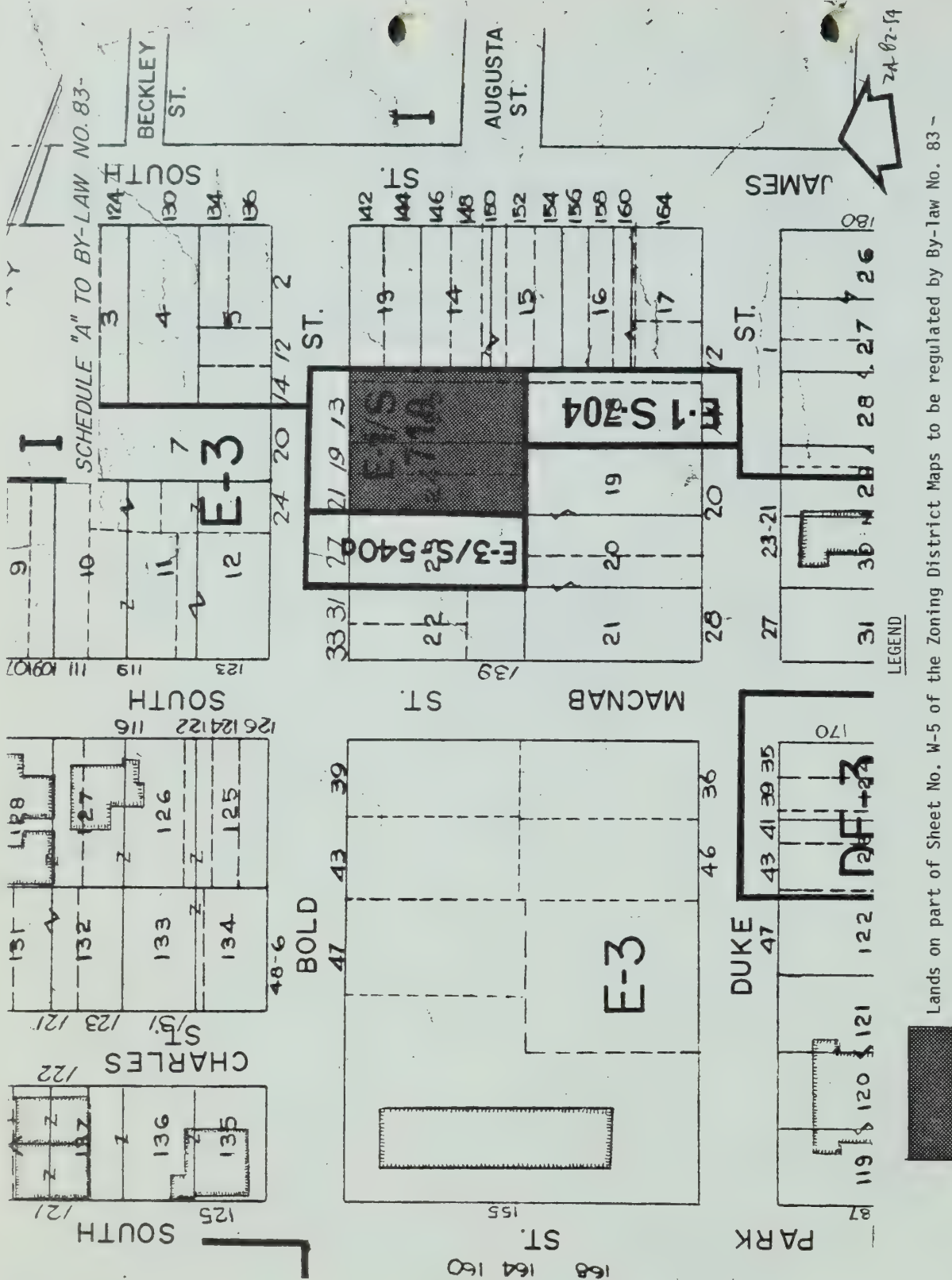
THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

J-14

Bill No. D-42



LEGEND

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1036 UPPER WENTWORTH STREET

WHEREAS By-law No. 81-305, passed on the 10th day of November, 1981 and approved by the Ontario Municipal Board on the 19th day of February, 1982 (File No. R 820079), rezoned the land from "AA" (Agricultural) district to "HH" (Restricted Community Shopping and Commercial) district and (amongst other things) permitted only a commercial use that is an office within the existing building;

AND WHEREAS it is intended to establish additional special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "HH" (Restricted Community Shopping and Commercial) district provisions applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirements that,

(a) notwithstanding section 2(a) of By-law No. 81-305 the following,

(i) RESIDENTIAL USE shall be permitted:

1. A second storey addition to the existing building comprised only of a single family dwelling unit;

(b) notwithstanding section 14A(3) of By-law No. 6593, the exterior walls of the second storey addition referred to in clause (a) shall maintain the same front and rear yard depths and side yard widths as the first storey of the existing building;

(c) notwithstanding section 14A(3) of By-law No. 6593 and section 3 of By-law No. 81-305,

(i) the existing front porch may be enclosed, and

- (ii) a carport having its location restricted to the existing side and rear yards may be constructed as an addition to the north side of the existing building.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions subject to the special requirements referred to in section 1 of this by-law, and section 2 of By-law No. 81-305.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-768a".

4. Sheet No. E-18A of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-768a".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

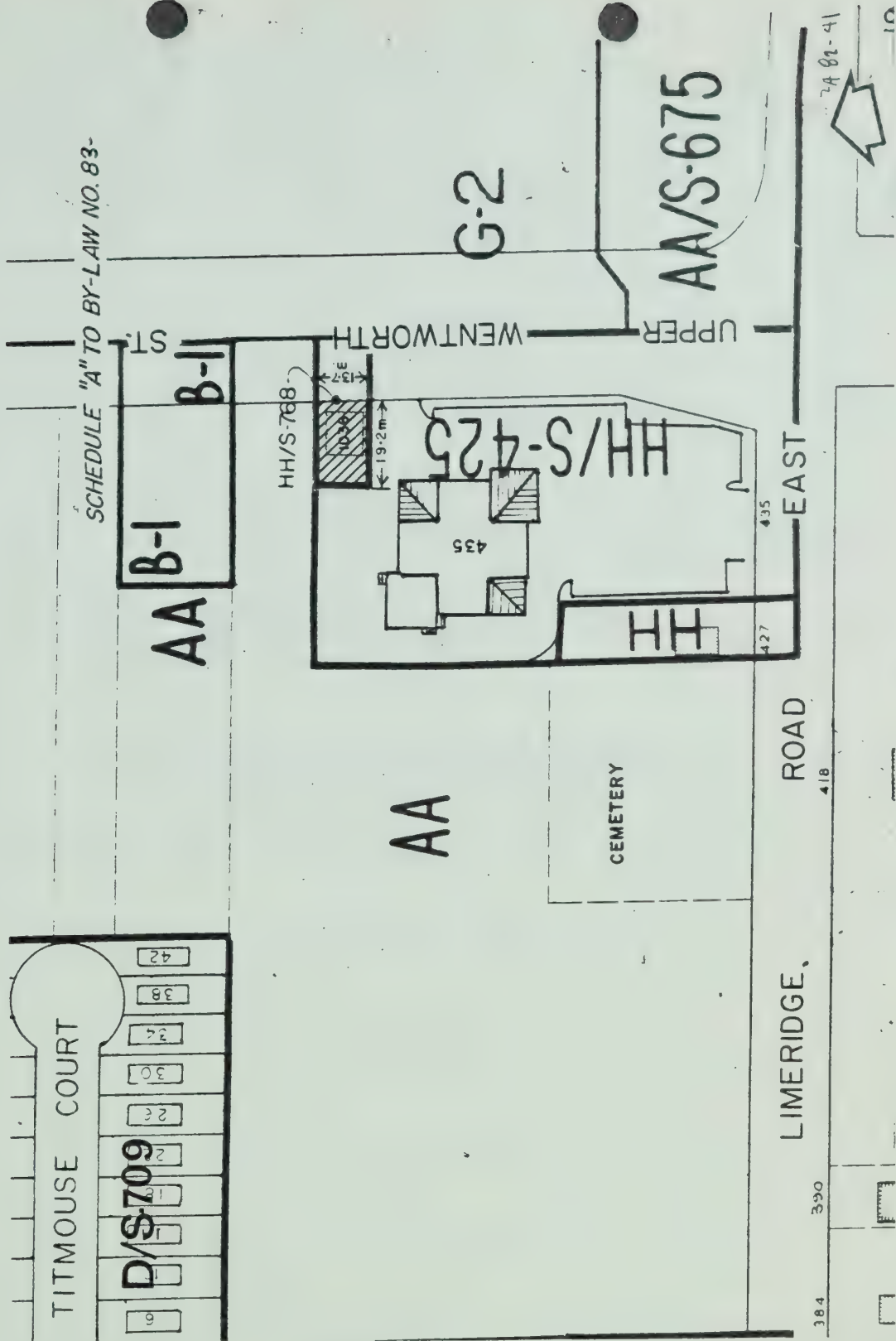
6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 3 R.P.D.C. 2, January 25
Duncan Beattie Insurance Agency Ltd., Owner
ZA-82-41



This is Schedule "A" to By-law No. 83- passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Repeal:

By-laws Nos. 82-102 and 82-198

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 74 WEST AVENUE NORTH
AND 142 BURLINGTON STREET EAST

WHEREAS By-law No. 82-102, passed on the 27th day of April, 1982, authorized the demolition and clearing of buildings, structures, debris or refuse on land at No. 74 West Avenue North;

AND WHEREAS By-law No. 82-198, passed on the 14th day of September, 1982, authorized the demolition and clearing of buildings, structures, debris or refuse on land at No. 142 Burlington Street East;

AND WHEREAS the property at No. 74 West Avenue North has been totally rehabilitated and is now in compliance with both the Property Standards By-law and the Building Code;

AND WHEREAS demolition of the buildings and structures at No. 142 Burlington Street East has been completed and the land cleared;

AND WHEREAS the authority in the said by-laws is no longer necessary.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-laws Nos. 82-102 and 82-198 are repealed.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 5 R.P.D.C. 9,10, February 22

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Repeal:

Zoning By-law No. 83-50

Respecting:

THE "H" (COMMUNITY SHOPPING AND COMMERCIAL, etc.) DISTRICT

WHEREAS By-law No. 83-50, passed on the 8th day of February, 1983 in accordance with Item 31 of the 2nd Report of the Planning and Development Committee, adopted by City Council on January 11, 1983, provided for conversion requirements for buildings in the "H" District converted into dwelling units;

AND WHEREAS Item 9 of the 6th Report of the Planning and Development Committee, adopted by City Council on the 8th day of March, 1983 directed the repeal of By-law No. 83-50 and its replacement by another by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 83-50 is repealed.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 6 R.P.D.C. 9, March 8
City Initiative 83-A

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

THE "H" (COMMUNITY SHOPPING AND COMMERCIAL, etc.) DISTRICT

WHEREAS General Zoning By-law No. 6593 was passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS it is intended to allow for the conversion of existing buildings in the "H" (Community Shopping and Commercial, etc.) district to residential dwelling units in order to provide for the use of non-viable commercial floor space;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 14 of By-law No. 6593 is amended by adding thereto the following subsections:

CONVERSION OF USES

(1a) Notwithstanding any other provision of this by-law, any building or part thereof existing on the 8th day of March, 1983 may be converted to contain not more than 10 dwelling units.

(1b) The average of the floor areas, of all dwelling units referred to in subsection (1a), shall be 65.0 square metres or more in area.

(1c) Every building converted in accordance with subsection (1a) shall be situate on a lot having a minimal radial separation distance of 180.0 metres from lot line to lot line of any other lot occupied or as may be occupied by a building converted or as may be converted in accordance with subsection (1a).

2. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

3. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 6 R.P.D.C. 9, March 8
City Initiative 83-A

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Define:

AS A HERITAGE CONSERVATION DISTRICT THE AREA LOCATED GENERALLY
ON JAMES STREET NORTH, BETWEEN KING STREET AND BARTON STREET

WHEREAS subsections 1 and 2 of section 40 of The
Ontario Heritage Act, R.S.O. 1980, Chapter 337 provide as
follows:

(1) The council of a municipality may
by by-law define the municipality or one
or more areas thereof as an area to be
examined for future designation as a heri-
tage conservation district and the council
may, after such examination is completed,
prepare official plan provisions with
respect to such designation.

(2) Where the council of a municipality
has established a local advisory committee
under section 28, such council shall, before
passing a by-law to define the municipality
or one or more areas as an area to be exam-
ined for future designation as a heritage
conservation district under subsection (1),
consult with its local advisory committee.

AND WHEREAS the Council of The Corporation of the
City of Hamilton has established a Local Architectural Con-
servation Advisory Committee;

AND WHEREAS the said Council has consulted with
its Local Architectural Conservation Advisory Committee.

NOW THEREFORE the Council of The Corporation of
the City of Hamilton enacts as follows:

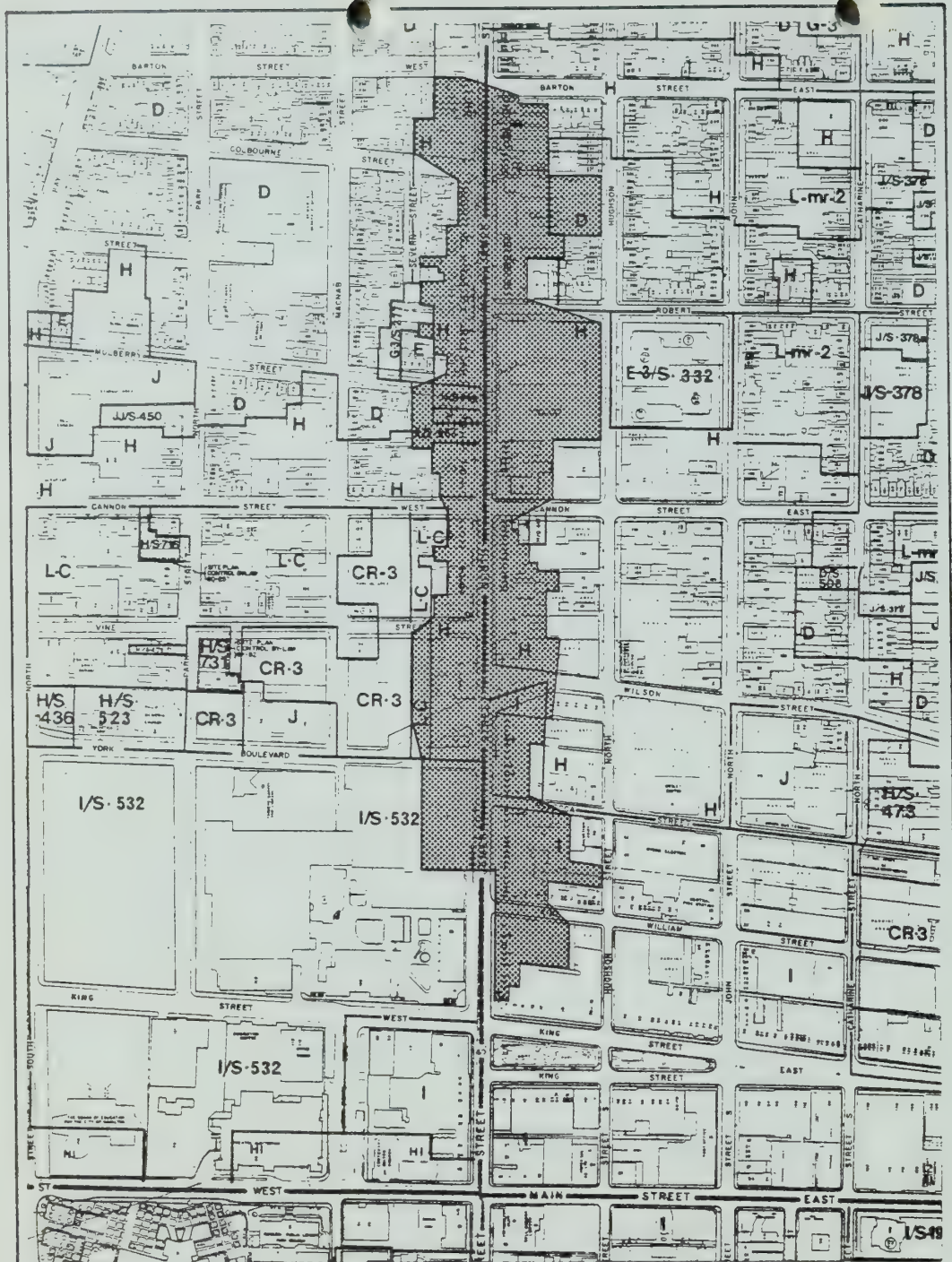
1. The area more particularly shown on schedule "A"
hereto annexed and forming part of this by-law, is hereby
defined as an area to be examined for future designation as
a heritage conservation district.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 2 R.P.D.C. 15, January 11



THIS IS SCHEDULE "A" TO BY-LAW No. _____
 PASSED THE _____ DAY OF _____

 Clerk

 Mayor

CITY OF HAMILTON SCHEDULE "A"

MAP FORMING PART OF
 BY-LAW No. _____

Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend

 Lands Subject to By-law No. _____

North


Scale
 1:5000

Date
 February 1983

Reference File No.
 P5-8-4-2

Drawing No.
 83-H-20

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Procedural By-law No. 82-203

Respecting:

LLOYD D. JACKSON SQUARE

WHEREAS By-law No. 82-203, passed on the 28th day of September, 1982, provides (amongst other things) for duties of standing committees of council including the Finance Committee and the Planning and Development Committee;

AND WHEREAS it is desirable that Reports concerning existing development in Lloyd D. Jackson Square shall be dealt with by the Finance Committee and Reports concerning new development in Lloyd D. Jackson Square shall be dealt with by the Planning and Development Committee.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 39 of By-law No. 82-203 is amended by adding thereto the following paragraph:

8a. To consider and report to Council on all matters relating to existing development in Lloyd D. Jackson Square.

2. (1) Paragraph 5 of section 40 of the said by-law is amended by inserting "and" after the word "Committee," in the fourth line, and striking out ", and the co-ordination of Lloyd D. Jackson Square" at the end thereof.

(2) Section 40 of the said by-law is amended by adding thereto the following paragraph:

6. To consider and report to council on all matters relating to new development in Lloyd D. Jackson Square.

PASSED this

day of

A.D. 1983.

City Clerk

Mayor

(1983) 7 R.L.C. 2, February 22

BY-LAW NO. 83 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF
HAMILTON AT ITS MEETING HELD ON THE Eighth DAY OF March,
A.D., 1983.

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the
Revised Statutes of Ontario, 1980, the powers of a municipal corporation
are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act,
being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of
every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council
of The Corporation of the City of Hamilton at this meeting be confirmed
and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton
enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton
in respect to each recommendation contained in the Reports of the
Committees and of the local Boards and Commissions and each motion and
resolution passed and other action taken by the Council of The
Corporation of the City of Hamilton at this meeting is hereby adopted
and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of
Hamilton are hereby authorized and directed to do all things necessary
to give effect to the action of the Council of The Corporation of the
City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the
City Clerk, or in the absence of the City Clerk, the Deputy City Clerk,
are authorized and directed to execute all documents necessary in that
behalf and to affix thereto the seal of The Corporation of the City of
Hamilton.

PASSED this Eighth day of March A.D., 1983.

City Clerk

Mayor

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

Tuesday, March 29, 1983
7:30 o'clock p.m.
Council Chambers
City Hall

A G E N D A

1. Prayer
2. Presentation of Certificates of Appreciation for services rendered
3. Minutes of Previous Meeting held March 8, 1983
4. Correspondence and petitions - City Clerk
5. Reports of Standing Committees - attached
 - A Transport and Environment Committee
 - B Parks and Recreation Committee
 - C Finance Committee
 - D Planning and Development Committee
 - E Legislation Committee
 - G Special Committee on Jobs
6. Consideration of Notices of Motion given at previous meeting - attached
 - (a) Alderman H. Merling
 - (b) Alderman M. Davison
7. Notices of Motion for next meeting
8. First reading of Bills
9. Second reading of Bills - Committee of the Whole
10. Third reading of Bills
11. Question period
12. Adjournment

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **SEVENTH** Report for 1983 and respectfully recommends:

1. That approval be granted to Hamilton Mountain Airshow Inc. to use the facilities at the Hamilton Civic Airport to hold the 1983 Hamilton International Airshow on Saturday, June 18, 1983 and Sunday, June 19, 1983 with the following provisions:
 - i. That Hamilton Mountain Airshow Inc. and Canadian Warplane Heritage Inc. enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - ii. That Hamilton Mountain Airshow Inc. obtain the necessary liability coverage required for the staging of the Airshow, at least two weeks before the first day of the event, failing which the City, in its discretion, may revoke approval of the holding of the event without recourse by the applicant or anyone else who may be involved.
2. That approval be granted to the Experimental Aircraft Association (Chapter 65) to hold a beer garden during the International Airshow on Saturday, June 18th and Sunday, June 19th, 1983 at the Hamilton Civic Airport.

NOTE: It is understood that this beer garden would be held or restricted to the facilities currently leased by the E.A.A. from the City of Hamilton at the Hamilton Civic Airport.

3. That Canadian Warplane Heritage Inc. be required to enter into a lease agreement commencing May 1, 1983 and terminating April 30, 1984 covering the use of 30 acres of land at Hamilton Civic Airport to be used for parking purposes during the 1983 Airshow weekend at an annual rental of \$450.00 plus taxes.

It is further understood that this annual lease can be cancelled by a 30 day notice should the City of Hamilton or Transport Canada require all or part of the lands for Airport purposes.

NOTE: This land site has been leased to Canadian Warplane Heritage for airshow parking since 1978. In 1982, the lease was signed and the rent paid prior to the Airshow.

4. That the City of Hamilton increase the daily rate for parking of vehicles at the airport from \$2.50 per day to \$2.75 per day.

NOTE: As a result of the recent "Marketing Review" just completed by Transport Canada on the airport, it was suggested by Transport Canada to increase the daily rate for parking of vehicles at the airport from the current \$2.50 to \$2.75 per day.

5. That Council request Transport Canada to redesignate Hamilton Civic Airport as the Hamilton International Airport.

NOTE: The Mount Hope Airport has been considered a regional airport for purposes of the preparation of a Master Plan on airport facilities in Hamilton-Wentworth. It has been brought to our attention that this designation would mean that the only increase in business for the Hamilton Airport would be the diversion of small aircraft from Toronto International Airport. In order for airlines such as the foreign carriers to fly into Hamilton the airport must be designated for that purpose. If Hamilton Airport is so classified the diversion of aircraft to Hamilton would result in the full utilization of the newly expanded airport.

6. That the 169.605 acres of land at Hamilton Civic Airport leased to Mr. Barry Jerome for farming purposes be reduced to 129.605 acres.

The rental will therefore be reduced to \$1,296.05 per year plus taxes commencing April 1, 1983. The rent payments to be made in installments of \$500.00 on May 1, and \$796.05 on October 1 of each year.

7. Whereas a load limit restriction of 5 tons per axle has been imposed, by the Region, on Airport and Glancaster Roads, effective until December 31, 1981; and,

Whereas this load limitation would greatly increase the costs associated with the redevelopment project at the Airport,

It is therefore recommended that Regional Council be requested to grant special dispensation to Dufferin Construction which would permit their trucks, which would be carrying loads to the Airport construction site, to travel Airport and Glancaster Roads with full loads.

8. That:

- i. the existing "Public Taxi Stand" on the north side of King William Street, commencing at a point 50 feet east of James Street and extending to a point 25 feet easterly therefrom, be rescinded, and;
- ii. the existing "Commercial Vehicle Loading Zone" on the north side of King William Street, commencing at a point 75 feet east of James Street and extending to a point 62 feet easterly therefrom, be relocated, such that the regulation commences at a point 50 feet east of James Street and extends to a point 59 feet easterly therefrom, and;
- iii. a "Commercial Vehicle Loading Zone" be implemented on the north side of King William Street, commencing at a point 32 feet west of Hughson Street and extending to a point 30 feet westerly therefrom, and;
- iv. a stopping prohibition be implemented on the west side of Hughson Street commencing at King William Street and extending to a point 202 feet northerly therefrom.

9. That:

- i. an addition sub-section be established in By-law 66-100 to provide for a "No Parking, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation, and;
- ii. a "No Parking, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the east side of Park Street South, commencing at a point 101 feet south of Robinson Street and extending to a point 40 feet southerly therefrom.

10. That a "No Parking, 8:00 a.m. to 4:00 p.m., Monday, to Friday" regulation be implemented on the east side of Gibson Avenue, commencing at a point 74 feet south of Cannon Street and extending to a point 58 feet southerly therefrom.

11. That the existing "Three Hour Parking Time Limit, 8:00 a.m. to 8:00 p.m., Monday, to Friday" regulation on the north side of Gertrude Street between Gage Avenue North and Avondale Avenue be rescinded.

12. That:

- i. two hour parking meters be installed on the north side of Britannia Avenue between Parkdale Avenue and a point 105 feet westerly therefrom, and;
- ii. two hour parking meters be installed on the south side of Britannia Avenue between Parkdale Avenue and a point 124 feet westerly therefrom, and;
- iii. two hour parking meters be installed on the north side of Britannia Avenue between Parkdale Avenue and a point 107 feet easterly therefrom.

13. That the Committee authorize the Traffic Commissioner to issue a maximum of one Time Limit Exemption Permit per unit to the residents of the apartment building at No. 179-181 MacNab Street South.

14. That, in accordance with the policy, time limit exemption permits not be issued to the residents of the apartment building at No. 123 St. Joseph's Drive.

15. That the application by Archie and Margaret Anne MacKenzie to lease a portion of the boulevard of Weir Street, adjacent to 1537 Main Street East, be approved provided that:

- i. the applicant pay the annual fee in accordance with the fee structure approved by City Council on November 30, 1976 (current rate is \$75.25), plus taxes, if any, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.
- ii. the owner complies with the requirements as set out in the policy approved by City Council on June 24, 1975, respecting using a portion of the road allowance for parking purposes.
- iii. the approach, parking area and other structures as required be constructed and maintained in accordance with the drawing on Schedule "B" of the agreement, at the owner's expense.

- iv. the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
16. That the application by Young and Insun Lee to lease a portion of the boulevard of Parkdale Avenue South adjacent to 2340 King Street East, be approved provided that:
- i. the applicant pay the annual fee in accordance with the fee structure approved by City Council on November 30, 1976 (current rate is \$77.40), plus taxes, if any, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.
 - ii. the owner complies with the requirements as set out in the policy approved by City Council on June 24, 1975, respecting using a portion of the road allowance for parking purposes.
 - iii. the approach, parking area and other structures as required be constructed and maintained in accordance with the drawing on Schedule "B" of the agreement, at the owner's expense.
 - iv. the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
17. That the application by Famleigh Properties Limited to lease a portion of the boulevard of Park Street North, adjacent to 58 York Boulevard, be approved provided that:
- i. the applicant pay the annual fee in accordance with the fee structure approved by City Council on November 30, 1976 (current rate is \$316.88), plus taxes, if any, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.
 - ii. the owner complies with the requirements as set out in the policy approved by City Council on June 24, 1975, respecting using a portion of the road allowance for parking purposes.
 - iii. the approach, parking area and other structures as required be constructed and maintained in accordance with the drawing on Schedule "B" of the agreement, at the owner's expense.
 - iv. the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
18. That the application by Grimsby Foods Limited to lease a portion of the boulevard of Dunbar Avenue, adjacent to 85 Division Street, be approved provided that:
- i. the applicant pay the annual fee in accordance with the fee structure approved by City Council on November 30, 1976 (current rate is \$240.86), plus taxes, if any, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.

- ii. the owner complies with the requirements as set out in the policy approved by City Council on June 24, 1975, respecting using a portion of the road allowance for parking purposes.
 - iii. the approach, parking area and other structures as required be constructed and maintained in accordance with the drawing on Schedule "B" of the agreement, at the owner's expense.
 - iv. the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
19. That the application by Wilbert Roy Grasley to lease a portion of the boulevard of Fullerton Avenue, adjacent to 579 Barton Street East, be approved provided that:
- i. the applicant pay the annual fee in accordance with the fee structure approved by City Council on November 30, 1976 (current rate is \$168.35), plus taxes, if any, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.
 - ii. the owner complies with the requirements as set out in the policy approved by City Council on June 24, 1975, respecting using a portion of the road allowance for parking purposes.
 - iii. the approach, parking area and other structures as required be constructed and maintained in accordance with the drawing on Schedule "B" of the agreement, at the owner's expense.
 - iv. the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
20. That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the west side of Barnesdale Avenue, commencing at a point 30 feet south of Barton Street and extending to a point 165 feet southerly therefrom.
21. That the City Solicitor be directed to revise Traffic By-law 66-100 to provide that the driver of a vehicle which is in the act of transporting a handicapped person, and which displays the official permit for handicapped persons issued by the Regional Commissioner of Social Services, would be exempt from the requirements of placing coins in parking meters or the requirements of posted time limit signs when the vehicle is parked at or near the location of the handicapped person.
22. That westbound traffic on Stacey Street be required to stop at Columbia Drive.
23. That:
- i. the south branch of York Boulevard, west of James Street, be reverted from one-way operation to two-way operation, and
 - ii. the south side of the south branch of York Boulevard, west of James Street, be signed "No Stopping".

24. That the leasing of 2646 King Street East to Ronald Davis and Patricia Davis at a monthly rental of \$350.00 (including realty taxes) commencing February 25, 1983 be approved and that the Mayor and City Clerk be authorized to execute the Tenancy Agreement.
25. That the sale to Milan Maravich of an irregular shaped parcel of vacant land being composed of all of Part 1, according to Reference Plan 62R-6595, being part of Lot 31, Concession 4, formerly in the Township of Saltfleet, now in the City of Hamilton with a frontage on the eastern limit of Mount Albion Road and containing 11,879.04 square feet for the sum of \$1.00 be completed.

This land is to be used for roadway purposes and included in a proposed plan of subdivision.

Schedule "A" forms part of this Offer to Purchase and is as follows:

This Offer to Purchase is subject to:

- (a) The City of Hamilton obtaining title to the lands described herein, namely Part 1 according to Reference Plan 62R-6595.
- (b) The Purchaser, Milan Maravich, using most of the lands described herein for roadway purposes only and including them in the proposed plan of subdivision to be known as Glen Arms Manor Phase 2. The plan of Glen Arms Manor shall be registered within one year from the date of closing of this transaction and if in default, the Purchaser named herein shall convey the lands back to the City of Hamilton and at the same price. It is understood and agreed that Milan Maravich, the developer of Glen Arms Manor Phase 2, will use the remainder of Part 1 Plan 62R-6595 to establish and convey to the City within and through his plan of subdivision, a one foot reserve along the southern limit of the said Part 1.

26. That the City Solicitor be directed to proceed with the preparation of a By-law to widen Oxford Street by incorporating therein Part 2, Plan 62R-6036 and the westerly 10' of Part 14, Plan 62R-2257.

NOTE: Lands known as Part 2, Plan 62R-6036, were dedicated to the City for the widening of Oxford Street in 1981. The City owns the land between the south limit of Part 2 and the north limit of York Boulevard and the widening should logically be extended through these lands. The Regional Engineering Department has concurred in this proposal and supports this recommendation.

27. That the City Solicitor be directed to proceed with the preparation of a By-law to widen Emerald Street by incorporating therein Part 1, Plan 62R-2006 and Part 2, Plan 62R-3034.

NOTE: The two parcels of land were dedicated to the City for the widening of Emerald Street in 1976. The proposed By-law will satisfy our responsibility and will prevent any adverse possession claims.

28. That the City Solicitor be directed to proceed with the preparation of a By-law to widen Trinity Church Road by incorporating therein Part 1, Plan 62R-5670.

NOTE: Lands known as Part 1, Plan 62R-5670, were dedicated to the City for the widening of Trinity Church Road in 1982. Incorporation into the street satisfies our responsibility and also will prevent any adverse possession claims.

29. That the City Solicitor be directed to proceed with the preparation of a By-law to widen Quigley Road by incorporating therein Part 1, Plan 62R-6384.

NOTE: Lands known as Part 1, Plan 62R-6384, were dedicated to the City for the widening of Quigley Road in 1982. The proposed By-law will satisfy our responsibility and prevent any adverse possession claims.

30. That approval be granted to the request of Mr. T. Grekos, 134 Emerald Street North, to pay for the reinstallation of the fence abutting the public assumed alley at 134 Emerald Street North, at an estimated cost of \$1,125.00.

31. That Mr. T. Grekos, owner of 134 Emerald Street North, be permitted to retain the following inadvertent encroachment:

North wall of existing brick 2 storey building that encroaches onto the abutting alley by approximately 1.22m by approximately 13.19m

with the following provisions:

- i. That the owner enter into an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- ii. That an annual fee of \$10 plus applicable realty taxes be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the \$25 annual fee to be charged to the owner for encroachment insurance.

32. That:

- i. Mr. J. Oliveira, of 127 Tisdale Street North, be informed that he must request permission from the City, to allow the inadvertent building encroachment on the alley. In addition Mr. Oliveira must include the required legal survey drawing in his possession when submitting his encroachment request.
- ii. The matter of the illegal reinstalled fence be held in abeyance until such time as the City is notified of the Province's decision regarding fences on the road allowance.

33. That:

- i. Concession Street from Belvidere Avenue to Vola Court be reconstructed without reducing the width of Concession Street
- ii. East Bend Avenue from Cannon Street East to King Street East be reconstructed without widening the street.

34. In the matter of vehicular access to the Hess Village Pedestrian Mall, it is hereby recommended that:

- i. The City Solicitor be authorized and directed to prepare a by-law to amend By-law 80-179 to give effect to:
 - (a) times allowable for delivery vehicles be changed from 7:00 a.m. - 10:00 a.m. and 5:00 p.m. to 6:00 p.m. each day, to 8:00 a.m. to 11:00 a.m. each day;
 - (b) the Mall Authority, to issue permits for entry of other vehicles to the Mall, rather than the Police Department.
 - (c) permits should be available to merchants and tenants to enter the Mall for any purposes;
 - (d) the prohibition of vehicles on the Mall to include the prohibition of parking on the Mall so that parking tags may be issued;
 - (e) a tag be issued for a penalty of \$10 (equivalent to existing "no parking" prohibition); where the fine is not paid within seven days the fine to be the same as provided in the City Traffic By-law.

and that the by-law subsequently be forwarded to the Regional Municipality of Hamilton-Wentworth and Ministry of Transportation and Communications for approval and appropriate signs be erected at both entrances to the Mall.

- ii. Item 18 (v) of the Thirteenth Report of the Transport and Environment Committee, approved by City Council on 82 08 31 be rescinded.

35. That the City Solicitor be directed to proceed with the preparation of a by-law to widen Kingfisher Drive by incorporating therein, part of Part 3 Plan 62R-5842 being a strip of land .3m wide by 87.68m long.

NOTE: Pursuant to the conditions of approval, in order to provide access to the above-noted subdivision, it is necessary to establish the above mentioned part of Part 3, Plan 62R-5842 as part of a public highway (Kingfisher Drive).

36. That City Council confirm the existing procedure of the Commissioner of Engineering wherein all applicants for special events taking place on the road allowance, ie., parades, walkathons, street dances, bicycle races, soap box derbies, carnivals, festivals, sidewalk sales, athletic events or any such event varying from the normal road usage-pedestrian and vehicular traffic, must provide prior to the holding of such event, proof of public liability insurance in the amount of \$1,000,000, which shall include the City as an added insured party with a provision for cross liability.
37. That the implementation measures for the "Conceptual Streetscape Master Plan - Gore Park Area" be approved in principle.

NOTE: At the appropriate time, specific, technical approvals will be requested of the Committees to facilitate the actual implementation of The Plan.

38. That the Mayor and City Clerk be authorized to execute an Agreement with the Board of Education for the City of Hamilton and the Hamilton-Wentworth Roman Catholic Separate School Board which provides for the payment of the cost of services in new subdivisions.

NOTE:

- i. Where municipal services are installed in streets adjoining school sites in older sections of the City, under The Local Improvement Act, the Board of Education and the Separate School Board each pay a share of the cost thereof.
 - ii. Municipal services in new subdivisions are not normally installed under The Local Improvement Act, but are installed and, initially, paid for by subdividers. The City compensates the subdividers for the cost of services in the half streets adjoining school sites.
 - iii. The Board of Education and the Separate School Board have offered to pay to the City a portion of the said cost, equal to that which each would have paid under the Local Improvement Act.
 - iv. It would be cumbersome to have subdividers install services throughout new subdivisions except in the portions of streets which adjoin school sites, and to have the City install services under The Local Improvement Act in those excepted portions.
 - v. Execution of the Agreement will enable the City to recover the cost of services from the two Boards.
39. Whereas Clause 5 (b) of the Seventeenth Report of the Planning and Development Committee, as adopted by City Council at its meeting held on 81 06 23, recommended that a Subdivision Agreement be entered into between the City of Hamilton and the owners of Donegel Heights, Hamilton, 518890 ONTARIO LIMITED (R. DeBenedictis - President),

It is therefore recommended that:

- i. the schedules for the estimated cost of services, appended hereto, be approved for inclusion in the proposed Subdivision Agreement for Donegel Heights;
 - ii. The approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered, and
 - iii. In the event the Subdivider wishes to proceed prior to the registration of Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-servicing.
40. For the information of Council, the Transport and Environment Committee, at its meeting held Monday, March 21, 1983, appointed the following citizen members to the Pollution Control Sub-Committee:

Mr. George Menzies

Mr. Ivan Boyko

41. That leave be granted to introduce the following bills:

- (a) A-19 By-law to widen Elmbank Street by incorporating part of 1' reserve Block "J" Plan M-279

- (b) A-20 By-law to establish an alleyway, east of Locke Street, north of York Boulevard
- (c) A-21 By-law to Reconstruct a Portion of East 5th Street and certain other streets
- (d) A-22 By-law to Amend By-law No. 66-100 To Regulate Traffic
- (e) A-23 By-law to Amend By-law No. 66-100 To Regulate Traffic

RESPECTFULLY SUBMITTED,

ALDERMAN H. MERLING, CHAIRMAN

R. C. Prowse,
Secretary
Attach.

March 21, 1983

Referred to in Section 39
of the Seventh Report of
the Transport and
Environment Committee.

SCHEDULES "E", "F" & "G"

DONEGEL HEIGHTS
CITY OF HAMILTON

SIDNEY W. WOODS INC.,
ENGINEERS & SURVEYORS



J. Morgante
J. MORGANTE, P. Eng.

March 17, 1983
DATE

REGIONAL MUNICIPALITY OF
HAMILTON-WENTWORTH

G. Spencer
for COMMISSIONER OF ENGINEERING

Feb 21 / 83
DATE

S C H E D U L E " E "
DONEGEL HEIGHTS

Requirements for Boundary Highways
and Estimate of Costs.

PART "A"

Works to be installed and paid for by
Subdivider

1. LIMERIDGE ROAD EAST, South Side Only

A. Sidewalks from East Limit of Subdivision
to West Limit of Subdivision.

87 m @ \$ 50.00 /m \$ 4,350.00

B. Approaches for Lots 1 to 3 and
14 to 16 inclusive

170 sq. m. @ \$ 25.00/sq. m. \$ 4,250.00

TOTAL = \$ 8,600.00

NOTE: Sidewalks and approaches to be
constructed within One Year of
registration of the Plan of
Subdivision.

PART " B "

Works to be carried out as local improvements.

NIL

S C H E D U L E " F "
DONEGEL HEIGHTS

Requirements for other than Boundary Highways.
Works to be installed by Sub-divider and costs shared
as shown.

<u>ESTIMATED COST</u>		
	<u>SUBDIVIDER</u>	<u>CITY</u>
1. <u>Donegel Place from Limeridge</u> <u>Road to end of Court.</u>		
A) Combined curbs and walks		
105 m @ \$ 70.00/m	(100%)	
Estimated Cost \$ 7,350.00	\$ 7,350.00	NIL
B) Final Roads		
560 sq. m. @ \$ 29.00/sq. m.	(100%)	
Estimated Cost \$ 16,240.00	\$ 16,240.00	NIL
C) Catchbasins and Connections		
1 single catchbasin relocated		
@ \$ 700.00		
1 double catchbasin @ \$1,400.00	(100%)	
Estimated Cost \$ 2,100.00	\$ 2,100.00	NIL
TOTAL -	\$ 25,690.00	NIL

- NOTES:
1. No preliminary Roads to be installed.
 2. All walks and approaches to be constructed within 6 months of completion of Sewer and Water Services.
 3. The Asphalt Binder Course for all final Roads must be constructed within 15 Months of the completion of Sewers or by June 15th of the following year, if the 15 month period ends after October 15.
 4. The Asphalt Surface Course for all final Roads must be installed at least one year after installation of the Asphalt Binder Course.

S C H E D U L E " G "

Donegel Heights

PART " A "

Works to be carried out and paid for by the Subdivider.

SEEDING

Limeridge Road East, South Side Only, from East Limit
of Subdivision to West Limit of Subdivision.

Donegel Place from Limeridge Road to End of Court.

Cost Estimated @ \$ 2.50/sq. m. for a total of 1,130 sq.m. - \$2,825.00

Maintenance (15%) - 424.00

Total for PART "A" \$3,249.00

PART " B "

Works to be carried out by the City and paid for by
the Subdivider.

TREES

Frontage and Flankage of Lots 1 to 16

Cost calculated at \$ 1.00/m for the total frontage
of 195.651 m.

\$ 196.00

Total for PART "B" \$ 196.00

TOTAL FOR SCHEDULE " G " \$3,445.00

NOTE: All Seeding to be planted within
6 months of completion of sidewalks
and curbs.

S U M M A R Y S H E E T
SCHEDULES "E", "F", AND "G"
DONEGEL HEIGHTS

CITY'S SHARE

CONSTRUCTION COST

A. Services to be installed by the Subdivider
and paid for by the City.

NIL

SUBDIVIDER'S SHARE

A. Services to be installed by the Subdivider.

1. Curbs and walks	\$ 11,700.00
2. Approaches	\$ 4,250.00
3. Final Roads	\$ 16,240.00
4. Catchbasins and Connections	\$ 2,100.00

TOTAL CONSTRUCTION COST	\$ 34,290.00
INSPECTION (2%)	686.00
MAINTENANCE (3%)	1,029.00
ENGINEERING (9%)	3,086.00

TOTAL =	\$ 39,091.00
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B. Local Improvements

NIL

C. Replacement of damaged or missing survey
monuments and standard iron bars

\$ 1,000.00

D. Tree Planting

\$ 196.00

E. Street Name Signs : 2 Corner Lots at
\$ 38.00 each.

\$ 76.00

F. Seeding (Including Maintenance of \$ 424.00)

\$ 3,249.00

TOTAL SUBDIVIDER'S SHARE	\$ 43,612.00
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TOTAL CITY'S SHARE - NIL

TOTAL SUBDIVIDER'S
SHARE - \$ 43,612.00

GRAND TOTAL OF ALL
WORKS - \$ 43,612.00

Club is a non-profit co-operative Sailing Club affiliated with the Hamilton YMCA. Its purpose is to introduce and teach sailing to Hamilton and area residents at a reasonable cost.

2. Approval of the leasing of the property at 211 Tragina Avenue North to Carole Rosemary Cousins from March 1, 1983 to March 31, 1983 at a one-time rental charge of \$200.00 and commencing April 1, 1983 at a monthly rental charge of \$300.00 including taxes.

This property was acquired for parks purposes in the Homeside Neighbourhood and will be vacated and demolished when same is required for park development.

3. Approval of the following Change Orders:

- (a) Change Order No. 1 in the amount of \$350.00 in favour of Dufferin Construction Company for additional asphalt paving work carried out in connection with the development with the Jack C. Beemer Park.

Approval of this Change Order increases the original contract amount from \$25,900.00 to \$26,250.00.

- (b) Change Order No. 1 in the amount of \$600.00 in favour of Dufferin Construction Company for additional asphalt paving carried out in the area between the former Sanford Avenue Fire Station and the Mohawk College property with respect to the development of the Norman "Pinky" Lewis Complex.

Approval of this Change Order increases the original contract amount from \$42,188.00 to \$42,788.00.

4. That the Plainsman Dining Rooms Limited be granted permission to use the Courtyard Area adjacent to the MacNab Arms Restaurant Facilities in Dundurn Castle during the summer months, subject to the following conditions:

- (a) Any improvements to the Courtyard area be subject to the approval of the City and at the Restaurateur's expense.
- (b) That the Restaurateur will supply the furniture which will become the property of the City upon expiration of the contract.
- (c) That no yearly minimal rental be paid in 1983 but that a yearly minimum rental for 1984 and 1985 be negotiated after the summer of 1983.
- (d) That the City Solicitor be authorized and directed to amend the agreement between the Corporation of the City of Hamilton and the Plainsman Dining Rooms accordingly.

NOTE: Sales from the Courtyard in 1983, 1984 and 1985 will be included in the gross sales of the restaurant for calculation of the additional annual payment which is based on a percentage of gross sales.

The Restaurateur has requested use of this additional space in order to increase his capacity so as to permit him to accommodate bus traffic and to generally increase sales.

5. That the request by the Anthropology Department, McMaster University, to conduct an Archaeological Dig for artifacts at Dundurn Park and carry out an Archaeological Survey, be approved, subject to the following terms and conditions:
- (a) Artifacts excavated and removed are to be held in possession of McMaster University until analysis is complete, thereafter to be returned to Dundurn Castle and remain the property of the Corporation of the City of Hamilton.
 - (b) General methods of archaeology will be demonstrated in a field school situation, approved by the Ministry of Citizenship and Culture and licenced by the Ministry.
 - (c) A copy of the report of the results of the work as submitted to the Ministry, to be submitted to the Department of Culture and Recreation.
 - (d) The City will be responsible for providing the necessary snow-fencing required to prevent public access to the site and will provide a suitable storage facility for light equipment.
6. That item 30 of the Nineteenth Report of the Board of Control adopted by City Council on August 30, 1966 which authorized the acquisition of four parcels of land on the south side of Van Wagner's Beach Road, containing approxiamtely 3/4 of an acre of land and a building, from the Hydro-Electic Power Commission of Ontario, for the sum of \$5,100.00, be rescinded.

NOTE: On April 12, 1976, City Council adopted item 15 of the Nineteenth Report of the Board of Control to authorize the acquisition of 5.61 acres of land which included the lands mentioned above, for the sum of \$83,565.00. This item did not inculde a recommendation that the 1966 item be rescinded. Rescinding of this resolution at this time will enable the Treasury Department to remove the \$5,100.00 from its books.

Respectfully submitted,

ALDERMAN B. HINKLEY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

J. J. Schatz, Secretary
March 10th, 1983

REPORT OF THE FINANCE COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its **SEVENTH** Report and respectfully recommends:

1.
 - (a) That the policy of providing annually a capital levy of at least 5 mills in the Current Estimates for capital purposes be continued.
 - (b) That the provision of a one mill special levy be provided in the Estimates of 1983 to 1985 inclusive for the Trade Centre/Arena Complex, as approved by City Council.
 - (c) That the debt charges will not exceed 15% of the estimated adjusted municipal levy for this Capital Budget.
 - (d) That every consideration be given to continuing with a "Pay-As-You-Go" policy for capital projects that are considered by City Council and the Ontario Municipal Board of a low priority nature.
 - (e) That the Finance Committee and City Council give consideration to continuing the policy established in 1982, that any excess funds remaining from the municipal contribution to a Local Board be placed in a Reserve for capital projects for that Board in order to assist in the adoption of a "Pay-As-You-Go" policy for all capital projects.
 - (f) That this Capital Budget program be approved and submitted for approval, for to the Ontario Municipal Board, through the Regional Council.
2. Approval of the 1983 estimates in the amount of \$103,486,510. in accordance with the report of the City Treasurer and Commissioner of Finance, a copy of which has been delivered to the Members of City Council.
3. Approval of the settlement of the following claims:
 - (a) By county court writ issued October 14, 1980, Adele Neuman commenced action against the City for damages for personal injuries she suffered when she fell on a City sidewalk on September 15, 1980. She sustained contusions to her nose and face, a Colles fracture of her right wrist, a strain to her neck and left shoulder and contusions to her right knee. The fractured wrist has resulted in a permanent deformity.

It is recommended that Adele Neuman's claim be settled in the amount of \$3,900. inclusive of costs.

- (b) By County Court writ issued June 19, 1980 Elizabeth and John Aitken commenced action against the City for damages for personal injuries Elizabeth Aitken suffered when she fell on a City sidewalk on June 5, 1980.

In the fall she reinjured her right shoulder regarding which she had surgery to remove a bone in November of 1979, and she also suffered injury to her back and neck and face aggravating pre-existing injuries.

It is recommended that the claim of Elizabeth and John Aitken be settled in the amount of \$9,200. inclusive of costs and inclusive of O.H.I.P.'s claim.

- (c) By County Court writ issued February 11, 1975, Joyce Micucci commenced action against the City for damages for personal injuries she suffered when she fell on a City sidewalk on January 30, 1975. She sustained multiple fractures to her right ankle which required surgery. She was off work for six months.

It is recommended that Joyce Micucci's claim be settled in the amount of \$3,750. inclusive of costs.

4. That the City Treasurer be authorized to make application to the Ministry of Transportation and Communications for the City of Hamilton 1983 Normal and Supplementary Applications for Subsidy as follows:

	<u>Estimated Total Expenditure</u>	<u>Estimated Subsidizable Expenditure</u>	<u>Estimated Subsidy Dollars</u>
<u>Normal Application</u>			
- Maintenance	6,189,030	5,692,320	2,846,160
- Construction	<u>5,336,700</u>	<u>3,735,680</u>	<u>1,867,840</u>
	11,525,730	9,428,000	4,714,000
<u>Supplementary Application</u>			
- Construction	<u>4,062,150</u>	<u>2,771,100</u>	<u>1,385,550</u>
	<u>15,587,880</u>	<u>12,199,100</u>	<u>6,099,550</u>

Furthermore, that the City Treasurer be authorized to petition the Minister for subsidy payments as necessary.

5. (a) That the City Treasurer be authorized to pay the U.I.C. Rebate due to all permanent employee of the City of Hamilton as at December 31, 1982. This rebate is to be financed from 0378-0109 where funds have been provided in the 1983 Estimates in the amount of \$40,000.00. Due to employee turnover in 1982, the actual expected total refund is estimated to be approximately \$37,300.00.
- (b) Approval of a policy authorizing the City Treasurer and Commissioner of Finance to rebate U.I.C. premiums to employees on an annual basis under section 64(4) of The Unemployment Insurance Act.

6. That outstanding realty and business taxes in the amount of \$101,221.76 be written off in accordance with section 495 of The Municipal Act, R.S.O., 1980, and charged to Account 0222 - Tax Write-offs.

NOTE: Detailed information respecting these write-offs can be obtained by contacting the Secretary, Finance Committee or the City Treasurer.

7. Approval of the awarding of the following contracts:

(a) **BRADSHAW STRADWICK 1979 INC, Welland, Ontario**

Supply and delivery of Workmen's Clothing for 1983 in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the total sum of \$28,300.20
Ontario Sales Tax extra @ 7%.

NOTE: Lowest of five tenders received.

(b) **KAUMEYER PAPER LTD., Niagara Falls, Ontario**

Supply and delivery of Polyethelene Bags in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the total sum of \$12,798.44

NOTE: Lowest of 11 tenders received.

(c) **CLOKE & SONS LTD., Hamilton, Ontario**

For the supply and delivery of Stationery requirements for 1983, with option to extend the contract for two additional terms; namely, January 1, 1984 to December 31, 1984; and, January 1, 1985 to November 30, 1985.

NOTE: Lowest of three acceptable tenders received.

(d) **JAMES KEMP CONSTRUCTION LTD., Hamilton, Ontario**

Supply all material, labour and equipment necessary for the Alterations and Waterproofing of City Hall Parking Garage, in accordance with plans and specifications prepared by Fishburn Thermography Group Ltd., and issued by the Director of Purchasing and Vendor's Tender for the sum of \$348,600.00.

NOTE: Lowest of eleven tenders received.

Members of City Council are advised that the low bidder informed the Committee that he had made an error in the calculation of his tender which resulted in his bid being \$34,760.00 lower than intended, and requested that his tender not be accepted.

Notwithstanding this request, the Committee is recommending the awarding of this contract at the price bid.

(e) STORAGE TECHNOLOGY CORPORATION, Toronto, Ontario

Monthly availability charges for magnetic tape drives
 April to December 1983, inclusive \$51,729.87

NOTE: Lowest of four proposals received by the Treasury Department.

(f) TELEX COMPUTER PRODUCTS INC., Willowdale, Ontario

Monthly availability charges for terminals and control units,
 April to December 1983, inclusive \$89,018.76.

NOTE: The lowest of six proposals received by the Treasury Department.

8. Approval of the transfer of \$64,422.44 from the Reserve for Off-Street Parking Account No. 0280-14 to the Permanent Facilities Section of the Hamilton Parking Authority Account No. 9329-0198, to cover the 1982 deficit of \$64,422.44.

NOTE: The Hamilton Parking Authority advises that because of current economic conditions, the 1982 revenues of the Authority for the Permanent Facilities Section were \$62,411.07 under estimate. Along with this decrease in revenue, costs for snow clearing, because of the particularly harsh winter, exceeded estimates by approximately \$30,000.00. This combination of a decrease in anticipated revenue and an increase in uncontrollable expense produced a deficit in this area.

9. That the Central Utilities Plant costs associated with the Mohawk/McMaster Education Centre at the Central Public Library not be charged to Mohawk College/McMaster University for 1983, subject to prior execution of a lease satisfactory to the City Solicitor.

NOTE: The 1983 estimated charges to Mohawk College/McMaster University are estimated to be \$20,260. Cancellation of these charges for 1983 will result in a reduction of approximately \$10,000.00.

10. That approval not be granted to the Hamilton Public Library Board to install an additional staircase between the fifth and sixth floors of the Hamilton Central Library.

NOTE: For the information of the Members of City Council, the Library Board has advised that it has the funds available for this installation which is estimated to be approximately \$40,000.00. City approval for the alterations to the Library building is required pursuant to paragraph 11(b) of the proposed lease between the City of Hamilton and the Hamilton Public Library Board.

11. That a special informal meeting of City Council be called for the purpose of receiving a report and information from the Regional Assessment Commissioner with respect to the implementation of a reassessment programme to provide for the assessment upon which the 1984 taxation will be based, to be on the basis of 1980 market value.
12. With the adoption of section 12 of the First Report of the Finance Committee, City Council at its meeting December 14, 1982 authorized execution of a lease between

the Corporation of the City of Hamilton and Hamilton Theatre Inc. for the property at 37 Strathcona Avenue North for an eighteen month term commencing January 1, 1983; and further, provided for the Hamilton Hellenic Community to meet with the Finance Committee and to submit a proposal for possible acquisition of this property. The resolution further provided that any negotiations with the Hamilton Hellenic Community were to be concluded within a four month period, following which, the lease to Hamilton Theatre Inc. was to be extended for an additional eighteen month period, concluding on December 31, 1985, under the same terms and conditions, in the event negotiations with the Hamilton Hellenic Community did not result in the sale of this property.

The Finance Committee has met with representatives of both the Hellenic Community and Hamilton Theatre Inc. and is recommending that no action be taken, at this time, to sell this property to the Hellenic Community and that the lease agreement with Hamilton Theatre Inc. be formally extended to December 31, 1985.

13. That leave be granted to introduce the following bill:

Bill C-8 - A By-law to Fix the Rates of Taxation For Municipal Purposes for the Year 1983.

Respectfully submitted,

**ALDERMAN P. J. PETERSON, CHAIRMAN
FINANCE COMMITTEE**

J. J. Schatz
Secretary

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SEVENTH** Report for 1983 and respectfully recommends:

1. That approval be given to **Zoning Application 82-56, Lucille Investments Limited, owner**, to establish a change in zoning and a modification to the zoning regulations applicable to lands located at No.2130 and No.2164 King Street East as shown on the attached plan marked as APPENDIX "A" on the following basis:
 - (a) That the lands described as Block 1 be rezoned from "DE" (Low Density Multiple Dwellings) District to "G3" (Public Parking Lots) District.
 - (b) That the "G3" District provisions as contained in Section 13C of By-law No.6593 applicable to the lands described as Block 1, be modified on the following basis:
 - (i) that notwithstanding the provisions of Section 13C(1)(ii) of By-law No.6593, a 3-car private garage building shall be permitted;
 - (ii) that a 1.5 m (4.92') wide landscaped strip be provided along the easterly and southerly lot lines of the parking lot, and that a visual barrier not less than 1.2 m (3.94') nor more than 2.0 m (6.56') high be provided within the landscaped strip except that no visual barrier shall be situated less than 3.0 m in distance from a front lot line.
 - (c) That notwithstanding the provisions of Section 18(4)(ii) of By-law No.6593, a 3-car private garage building shall be permitted on the lands described as Block 1.
 - (d) That Schedule "B2" the site plan attached to and forming part of By-law No.70-150, passed by City Council on June 9, 1970, be amended in accordance with a new site plan to be approved by the Planning and Development Committee to regulate development on the lands described as Blocks 1 and 2.
 - (e) That the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-319A and that the subject lands on Zoning District Map E-76 be notated S-319A.
 - (f) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No.6593 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
 - (g) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The purpose of the By-law is to provide for the following:-

- (i) A change in zoning for the lands described as Block 1 from "DE" (Low Density Multiple Dwellings, etc.) District to "G3" (Public Parking Lots) District to permit a parking lot.
 - (ii) A modification to the "G3" (Public Parking Lots) District to permit a 3-car private garage building at the rear of Block 1, notwithstanding that only a building not exceeding 6 m² (64 sq. ft.) for use by a parking lot attendant is permitted.
 - (iii) A modification to Section 18(4)(ii) (Supplementary Requirements and Modifications) of Zoning By-law No.6593 to permit the 3-car private garage building on Block 1, notwithstanding that this "accessory" building is not permitted unless a principal building is already established on the lands.
 - (iv) An amendment to the "site plan" attached to and forming part of By-law No.70-150, to regulate development on the lands described as Blocks 1 and 2.
2. (I) That approval be given to **Zoning Application 83-06, Seebeck Construction Company Limited and Robert Shelley Construction Limited, owners**, to establish a change in zoning for property located on the north side of Rymal Road East and west of Upper Ottawa Street, as shown on the attached plan marked as APPENDIX "B" on the following basis:-
- (a) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District and "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District Modified to "R4" (Small Lot Single-Family Detached) District;
 - (b) That the "R4" (Small Lot Single-Family Detached) District regulations applicable to the subject lands be modified as follows:
 - (i) That notwithstanding the provisions of Section 9A(1) of By-law No.6593, a townhouse dwelling or a group of townhouse dwellings shall be permitted subject to the "RT-10" District provisions of Section 10D of By-law No.6593;
 - (ii) That no access will be permitted from Rymal Road East except for townhouse dwellings or a group of townhouse dwellings, in which case one common access will be allowed.
 - (c) That the amending By-law be added to Section 19B of Zoning By-law No.6593 as Schedule S-821, and that the subject land on Zoning District Map E-49D be notated S-821;
 - (d) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No.6593 as amended by By-law No.79-225, and Zoning District Map E-49D, and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk;

- (e) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area; and
- (f) That the Templemead Neighbourhood Plan be amended accordingly.

AND

- (II) That By-law No.79-275 establishing Site Plan Control areas, be amended by adding the subject lands to Schedule "B" for the townhouse use only.

Explanatory Note - The purpose of the by-law is to provide for a change in zoning from "C" (Urban Protected Residential) District and "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District Modified, to "R4" (Small Lot Single-Family Detached) District modified in order to permit the development of "small lot" single-family dwellings, semi-detached dwellings or townhouses on a parcel of land on Rymal Road East as shown on Zoning District Map E-49D.

- 3. That approval be given to **Zoning Application 83-09, Sunshine Homes, owner**, to establish a change in zoning for lands located in the area east of Greencedar Drive, being the future extension of Golfwood Drive, as shown on the attached plan marked as APPENDIX "C" on the following basis:
 - (a) That the lands described as Block 1 be rezoned from "C" (Urban Protected Residential, etc.) District to "R4" (Small Lot Single-Family Detached) District;
 - (b) That the lands described as Block 2 be rezoned from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "R4" (Small Lot Single-Family Detached) District;
 - (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No.6593 and Zoning District Maps W-37B and W-37C and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk; and
 - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The purpose of the by-law is to provide for a change in zoning from "C" (Urban Protected Residential, etc.) District and "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "R4" (Small Lot Single-Family Detached) District, in order to permit the development of small lot single-family detached dwellings on lands located in the area east of Greencedar Drive, being the future extension of Golfwood Drive.

- 4. (I) That approval be given to **Zoning Application 83-11, John V. Grant on behalf of Robert James MacDonald and John C. McMurtry, owners**, to establish a change in zoning for property located at No.331 Queen Street South, as shown on the attached plan marked as APPENDIX "D" on the following basis:
 - (a) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District;

- (b) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No.6593 and Zoning District Map W-6, and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk;
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

AND

(II) That the application to the Ontario Municipal Board for approval of the subject zoning by-law be withheld until such time as the following condition has been satisfied:

- (a) That the existing parking area be removed from the road allowance and replaced with suitable landscaping treatment.

Explanatory Note - The purpose of the by-law is to provide for a change in zoning from "C" (Urban Protected Residential etc.) District to "D" (Urban Protected Residential - One and Two -Family Dwellings etc.) District to permit the continuance of a converted three-dwelling residential structure located at No.331 Queen Street South, as shown on Zoning District Map W-6.

- 5. That **Schedule "A" to By-law No.77-261**, as amended by By-law No.78-222, which rezones lands in the area south of King Street East and west of Centennial Parkway from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District, "RT-10" (Townhouse) District and "RT-20" (Townhouse - Maisonette) District, be amended and replaced with a revised Schedule "A" (see attached APPENDIX "E") and that the City Solicitor be directed to prepare a by-law and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.

Explanatory Note - Discrepancies between dimensions shown on the registered plan of subdivision and those shown on Schedule "A" to the subject by-law, which was based on a draft plan of subdivision were discovered. The attached revised Schedule "A" (APPENDIX "E") will correct these discrepancies.

- 6. That a one year extension of draft approval for **Application SA-79-15 proposed subdivision "Eleanor Gardens, Phase 5"**, located on the south side of Stone Church Road, west of Upper Gage Avenue be recommended to the Region - Regional File No.25T-79028.
- 7. That a one-year extension of draft approval for **Application SA-78-08, "Quincy Court", John F. Petis, owner**, located north of Stone Church Road East between Upper Gage Avenue and Upper Ottawa Street, be recommended to the Region - Regional File No.25T-78023.

8. (I) That the property located at 257 Main Street East be exempted from the By-laws 75-61 and 75-175. The purpose of this exemption is to allow the erection of a rotating ground sign having an approximate area of 8.3 square metres (89 square feet) with a minimum of 3.9 metres (13 feet) from the property line on both Main and Wellington Streets; **AND**

(II) That the City Solicitor be authorized and directed to amend By-laws 75-61 and 75-175 to exempt the erection of the proposed ground sign at 257 Main Street East.

9. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-

242 Emerald Street North
1 Keele Street
581 Upper Wellington Street

10. That the City Solicitor be authorized and directed to prepare a by-law directing the Building Commissioner to take all necessary steps to alter the guards for the first floor landing at the properties located at **13-15 Bold Street** in order to eliminate the existing hazards to the public.

11. That approval be given to the **purchase of 46 Ferrie Street West** in the total amount of \$5,400.00 plus 6 percent interest on the market value \$5,000.00) of the property from November 28, 1972 to the date of closing. The subject property is being purchased from the Estate of William Dashper, whose beneficiaries are -

Phyllis Botten; Madeline Bryce; Helena Chesworth; Mabel E. DiCristofaro;
Dolares Gamble; George E. Hanson; Matthew Hanson; Edna Larner;
Edna G. McDermott; Edward McDermott; Frank McDermott; William J.
McDermott; Audrey M. Morin; Gayle Shirley Spohn and Leona Wright,

for full and final settlement of all of their interests in the real property known as No.46 Ferrie Street West. The closing of this transaction is subject to approval of the North End Co-ordinating Committee and the Ministry of Municipal Affairs and Housing.

12. That leave be granted to introduce the following Bills:-

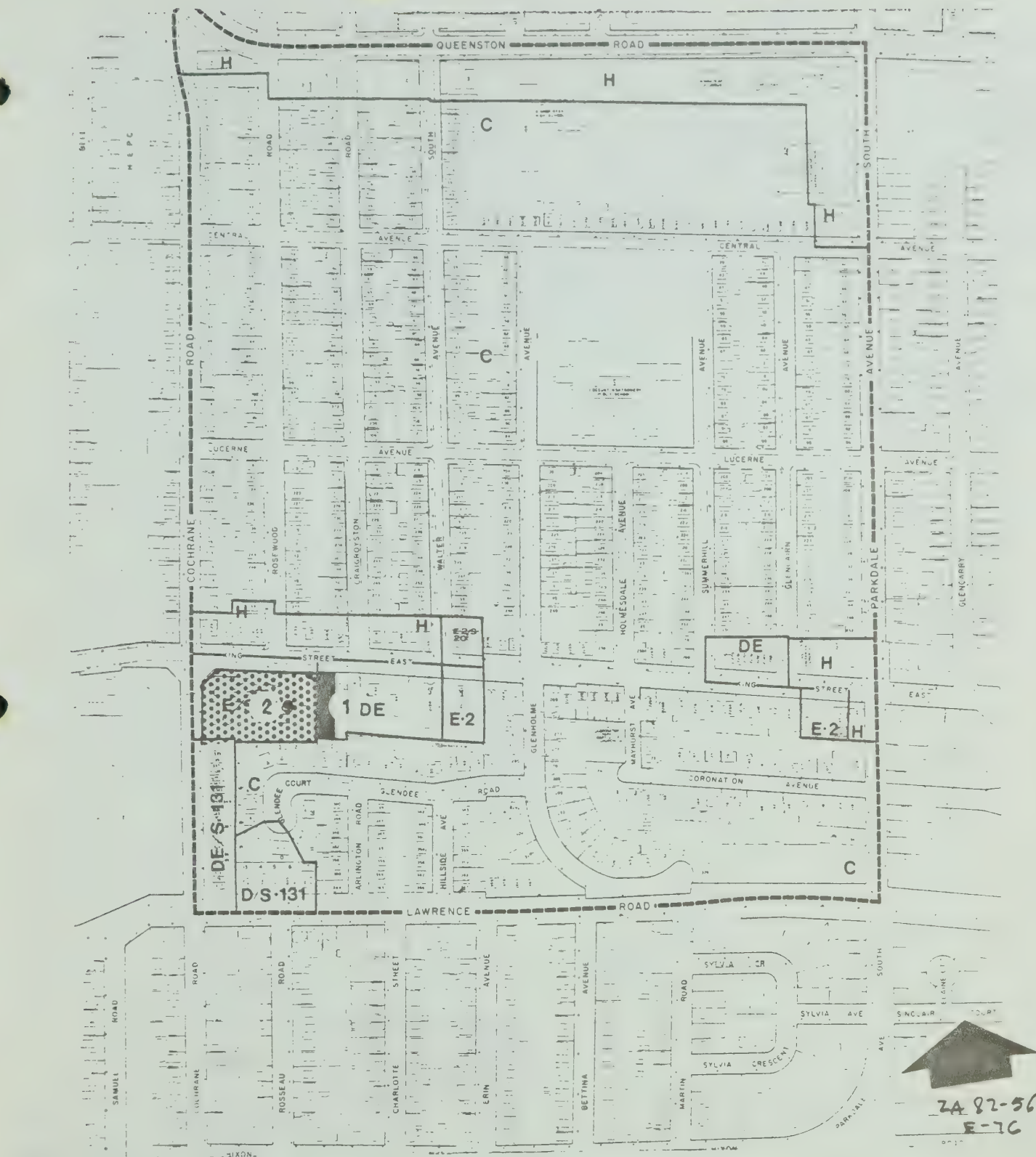
- (a) Bill D-48 - By-law to Amend Zoning By-law No.6593 respecting land located at Municipal Nos. 200 and 202 Gibson Avenue
- (b) Bill D-49 - By-law to Amend Zoning By-law No. 81-346 respecting land located at the south-east corner of Robinson and Park Streets
- (c) Bill D-50 - By-law to Amend Zoning By-law No.6593 respecting land located at Municipal No. 1591 Upper James Street

- (d) Bill D-51 - By-law to Amend Zoning By-law No.6593 respecting land located at Municipal No. 265 Bowman Street and lands at the rear of Nos. 269 to 275 Bowman Street
- (e) Bill D-52 - By-law to Establish Site Plan Control respecting land located at Municipal No. 265 Bowman Street and lands at the rear of Nos. 269 to 275 Bowman Street
- (f) Bill D-53 - By-law to Authorize Repair of the front steps and chimney for the building located at Municipal No.23 Dalkeith Avenue

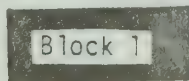
Respectfully submitted

JDT:bg
March 9, 1983

Alderman W. M. McCulloch
Chairman

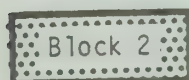


LEGEND



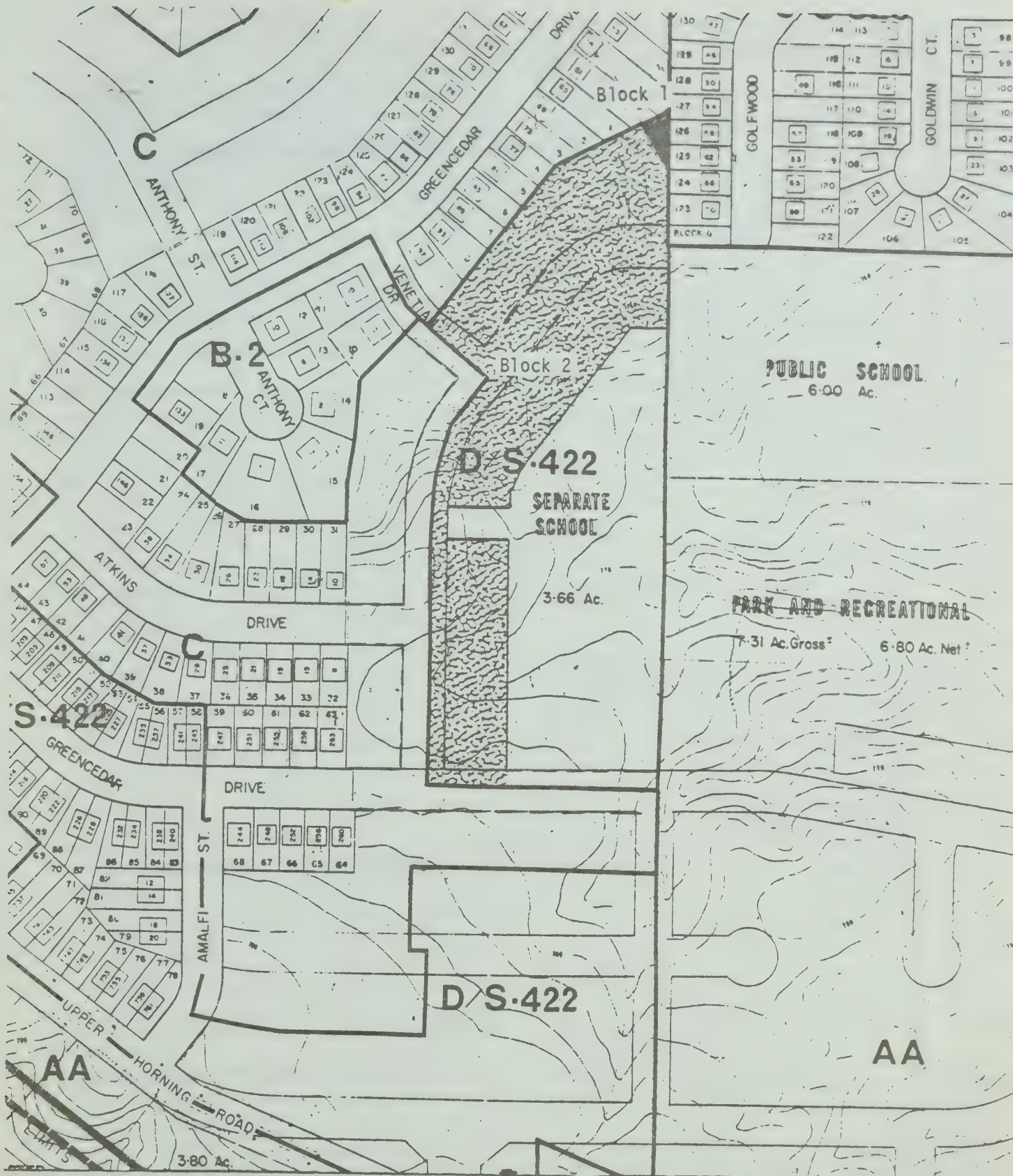
Block 1

Change in zoning from "DE" (Low Density Multiple Dwellings) District to "G-3" (Public Parking Lots) District

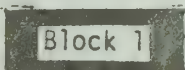


Block 2

Further modification of the existing "E" (Multiple Dwellings, Lodges, Clubs, etc.) District.



LEGEND



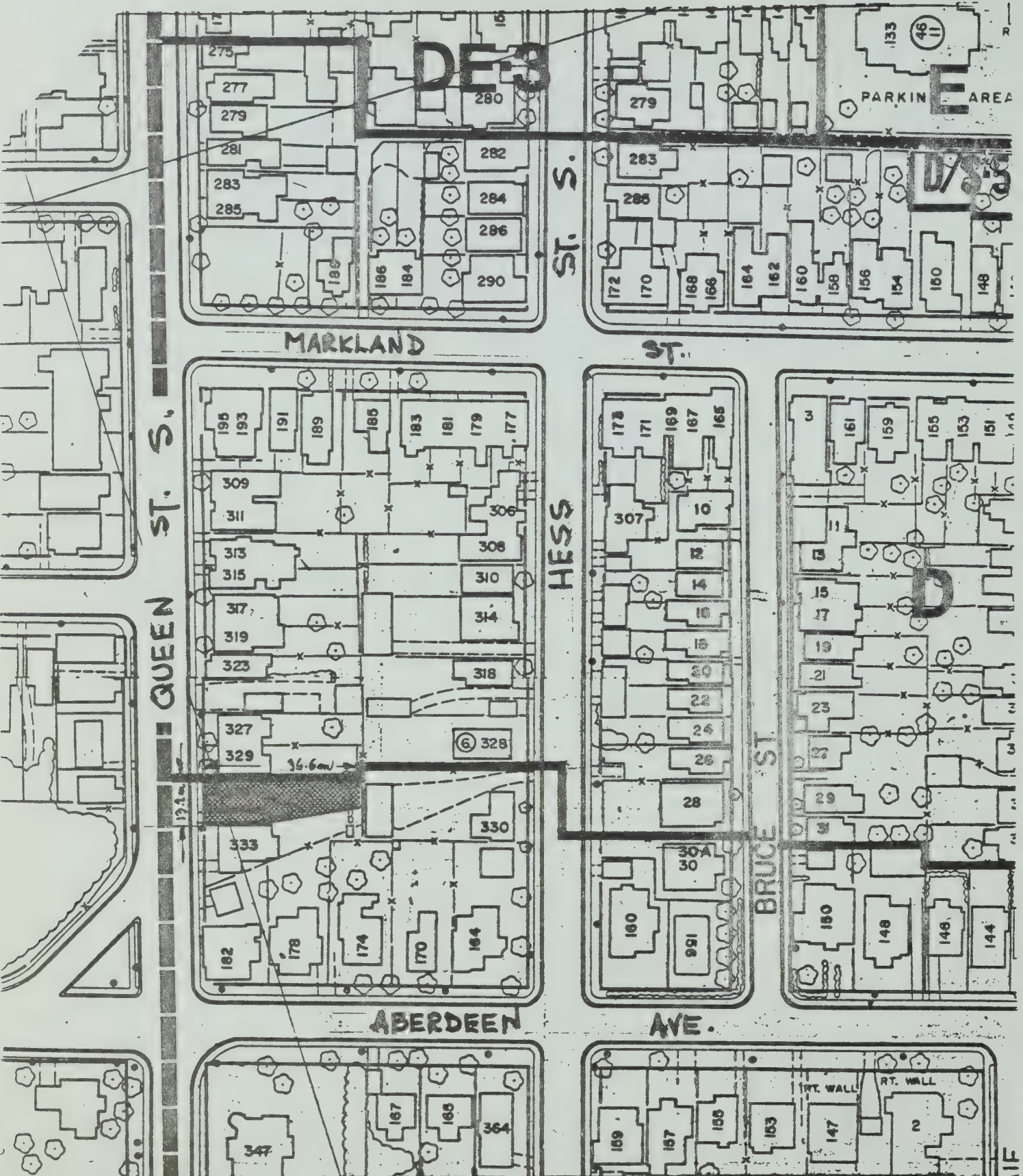
Change in zoning from "C" to "R4"



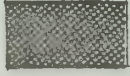
Change in zoning from "D" - modified to "R4"



24 83-9



LEGEND.



SITE OF THE APPLICATION



REVISED

SCHEDULE "A" TO BYLAW NO. 77-261

PLAN
OF PART OF

LOTS 27 and 28, CONCESSION 4

(FORMERLY in the TOWNSHIP of SALT FLEET)
NOW IN THE

CITY of HAMILTON

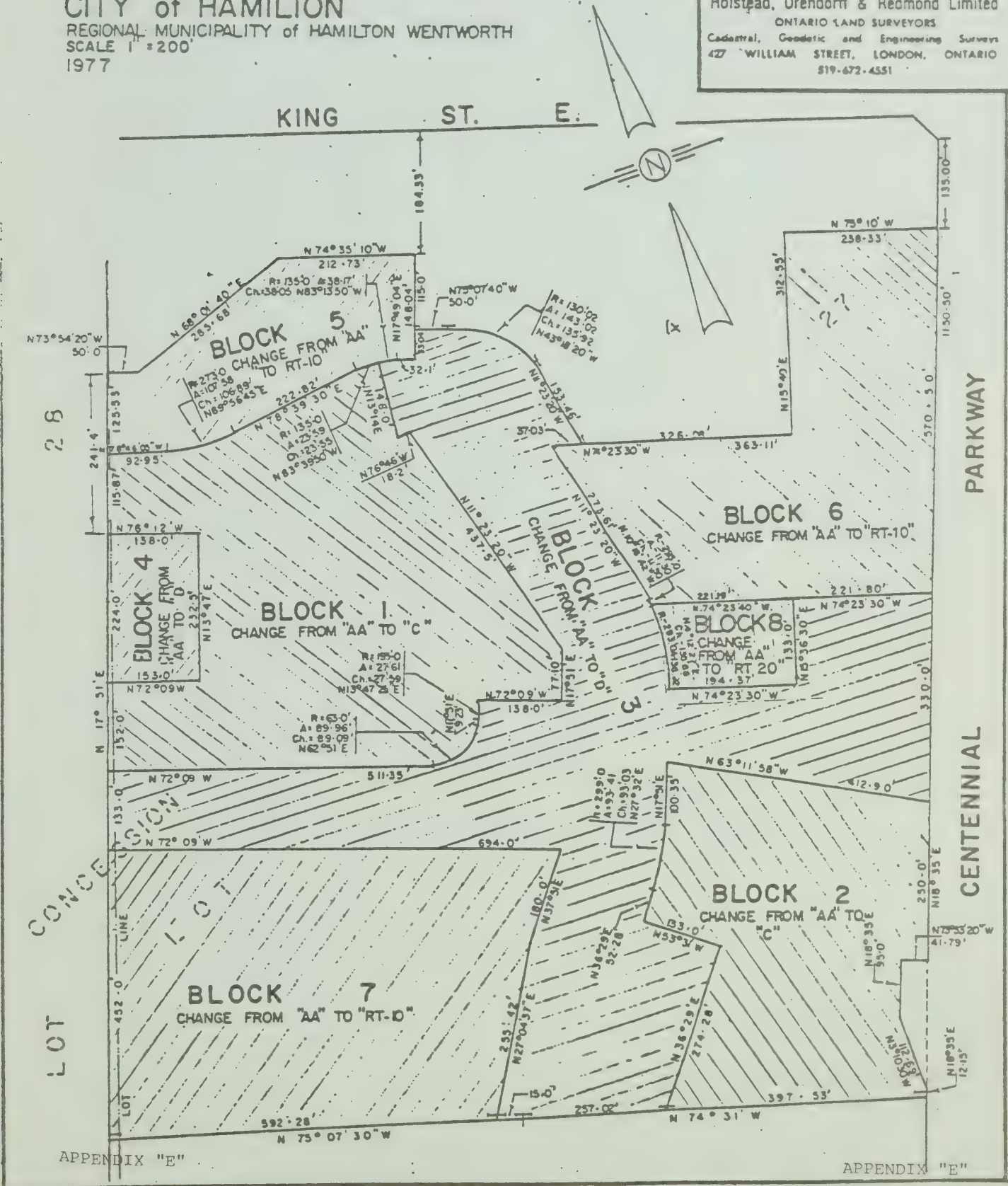
REGIONAL MUNICIPALITY of HAMILTON WENTWORTH

SCALE 1" = 200'

1977



Holstead, Orendorff & Redmond Limited
ONTARIO LAND SURVEYORS
Cadastral, Geodetic and Engineering Surveys
427 WILLIAM STREET, LONDON, ONTARIO
519-672-4551



REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its **NINTH** Report for 1983 and respectfully recommends:

CIVIC HOSPITALITY

1. That a Civic Luncheon be provided to the hockey, ringette, and figure skating coaches, convenors and executive members who have volunteered their time in organizing and operating the recreational youth programmes of the Department of Culture and Recreation. Estimated attendance - 400 persons.

RESOLUTIONS

2. That the following resolutions be endorsed:-

(a) Borough of York

WHEREAS the Annual Report of the Metropolitan Toronto Housing Authority for 1982 has a waiting list of 6,324 active applications for family housing as of December 31, 1982;

WHEREAS according to Central Mortgage and Housing Corporation the actual number of new housing units started in 1982 plunged to a modern low of 125,860, down from the 1981 total of 177,973; and

WHEREAS this was the lowest number of units built since 1961; and

WHEREAS the Federal Government has cut its funding for non-profit housing across Canada by 10%;

THEREFORE BE IT RESOLVED that the Borough of York Council urges both the Federal and Provincial Governments to increase funding for low rental housing in order to stimulate the housing industry and alleviate unemployment and that we urge the AMO and other municipalities in Ontario with populations over 150,000 to support this motion, and that we request a joint meeting between the Borough of York Council and the Honourable Claude Bennett and the Members of Parliament representing York - the Hon. John Roberts, the Hon. Jim Fleming, the Hon. Charles Caccia, Mrs. Ursula Appolloni and the Rev. R. DeCorneille, to discuss this serious problem;

AND that the Seal of the Corporation be hereto affixed.

(b) **City of Kitchener**

WHEREAS there appears to be a trend to de-institutionalize and integrate emotionally and handicapped persons into local communities, and while the net result appears to be a cost savings to the Ministries of Health and Social Services, it does not appear that these savings are being passed on to the local municipalities. While de-institutionalization is supported, it is however placing increasing pressure on municipalities to provide support services which include housing, social programs and specialized transportation.

THEREFORE it is requested that the Ministry of Health and the Ministry of Social Services provide additional funding for the support services that are required as a result of the de-institutionalization of emotionally and physically handicapped persons and the integration of these people into the local community.

AND FURTHER, that this resolution be circulated to the Association of Municipalities of Ontario and Ontario Cities for endorsement.

CITY HALL FACILITIES

3. That approval be given to the application of the Canadian Polish Congress Hamilton District, to fly the Polish National flag at City Hall and use the Council Chambers on May 3, 1983, to commemorate proclamation of the Full Democratic Constitution of the Year 1971.

It is further recommended that His Worship the Mayor be authorized to proclaim the week of May 2, 1983 as Polish Week in Hamilton.

OTHER

4. That the City Solicitor be authorized and directed to prepare a by-law to repeal Schedule 22 of By-law No.79-323 relating to the licensing, regulating and governing of transient traders and substitute a revised Schedule 22, which will provide for better regulation of transient traders.
5. That the City of Hamilton participate in the 1983 Inner City Youth Programme at the MacNab Street Y.W.C.A. by financing the cost of swimming for approximately 40-60 children per day at 50¢ per child.

Explanatory Note - The City of Hamilton has participated in this programme for a number of years, in order to discourage children from swimming in the fountains in the City Hall Forecourt. The cost to the City to participate in this programme, based on previous experience, will be approximately \$700.00.

6. That the City of Hamilton participate in raising money through a solo marathon swim of Lake Ontario by a Hamilton swimmer, scheduled to take place on August 5, 1983, by placing Muscular Dystrophy pledge cans in the various offices of City Hall.

Explanatory Note - The Muscular Dystrophy Association has given permission for money to be raised by this event, and the swim will start from Youngstown, New York, finishing at the CNE Grounds in Toronto.

7. That the following Tax Adjustments as recommended by the Tax Appeal Review Sub-Committee at its hearing held March 17, 1983, be approved:-

Schedule "A" - Compassionate	\$2,526.80
Schedule "B" - Business	\$45,266.39
Schedule "C" - Realty	\$22,232.94

8. That the Property Superintendent be authorized to erect a reviewing stand in front of City Hall for the Annual Boy Scout Parade.
9. That leave be granted to introduce the following Bills:-
- (a) Bill E-12 - By-law to Appoint Persons to the Hamilton Hydro-Electric Commission and the Canadian Football Hall of Fame
 - (b) Bill E-13 - By-law to confirm proceedings of the Council of the Corporation of the City of Hamilton
 - (c) Bill E-14 - By-law respecting Transient Vendors

Respectfully submitted,

JDT:bg
March 22, 1983

Alderman V. J. Agro, Chairman
Legislation Committee

REPORT OF THE PERSONNEL COMMITTEE

To the Council of The Corporation of the City of Hamilton

Members of Council:

The Personnel Committee presents its **FIFTH** Report for 1983 and respectfully recommends:

1. That the Hamilton Professional Fire Fighters Association, Local 288, be reimbursed in the amount of \$375.00 for legal fees incurred in connection with charges under The Highway Traffic Act against a fire fighter who was involved in an accident while driving an emergency fire vehicle.

For the information of the Members of Council the charges were subsequently dismissed by the Crown.

Note: It is to be understood that this is not intended to set a precedent.

2. That whereas admission criteria for enrolment at the Ontario Fire College, commencing 1984, has been set at Grade 12 elementary school education, plus the appropriate level of experience, it is now recommended that Section 3, subsection 1(b) of City of Hamilton By-law Number 68-34 To Regulate The Fire Department, be amended by deleting the reference to "elementary school Grade 10", and substituting in lieu thereof "elementary school Grade 12".

It is also recommended that the City Solicitor be directed to prepare the appropriate amending by-law for submission to City Council.

3. Members of City Council are advised that the Personnel Committee, at its meeting held March 23, 1983, due to a 3 - 3 tie vote, was unable to agree on the submission of either a positive or negative recommendation with respect to salaries for the year 1983 for Department Heads and Deputies and Non-Union Supervisory and Professional Staff, and agreed that the matter would be submitted to City Council for its consideration.

The motion which was lost on a 3 - 3 tie vote is as follows:

"That salaries for the year 1983 for Department Heads and Deputies and Non-Union Supervisory and Professional Staff be adjusted on the following basis:

All salaries up to \$32,000.00 per annum	- 5% increase
\$32,000.00 to \$40,000.00 per annum	- 3% increase
Over \$40,000.00 per annum	- no increase"

4. City Council at its meeting held February 22, 1983, referred to the Personnel Committee the Personnel Department "Operation Statistical Analysis" Project which was to be included in the Canada/Ontario Employment Development (COED) Programme for the City of Hamilton.

It is recommended that this Project be now included in the COED Programme for the City of Hamilton as Priority No. 2.

It is also recommended that the Project be for a twelve-month period.

5. (a) That Mrs. T. Johnson, Secretary A, Airport, Salary Schedule 111, \$19,180.20, \$19,868.68, \$20,680.40, \$21,597.16, \$22,655.36 per annum, be reclassified to Office Manager, Airport, Salary Schedule 114, \$23,605.40, \$24,669.32, \$25,779.00 \$26,939.64, \$28,150.72 per annum.
 - (b) That Mrs. Johnson be placed in the first step of Salary Schedule 114, \$23,605.40, effective February 28, 1983.
 - (c) That the position of Secretary A, Airport, be deleted from the Staff Quota of the Hamilton Civic Airport.
6. Approval of the Appointments and Terminations in permanent and temporary service with The Corporation to March 23, 1983, as set out on the list appended hereto.

RESPECTFULLY SUBMITTED,

ALDERMAN P. COWELL,
CHAIRMAN.

K. E. Avery, Secretary,
March 23, 1983.

**THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN PERMANENT SERVICE**

REFERRED TO IN SECTION 6 OF THE
FIFTH REPORT OF THE PERSONNEL COMMITTEE.

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Gerald Attard	Head Bartender	Convention Centre	new position as approved	C C-34	\$16,999.84 per annum	Feb. 21/83
Mr. Brian Baxter	Building Inspector	Building	additional staff as approved in 1982 budget	A-12	\$451.64 per week	Feb. 21/83
Miss Agapi Damianopoulos	Typist Clerk II	Public Works	returning to permanent position (was replacing Joy Goddard - temporarily promoted)	E-2	\$275.73 per week	Feb. 28/83
Mrs. Joy Goddard	Stenographer III	Public Works	returning to permanent position (was replacing Luisa Beattie - on maternity leave)	E-3	\$296.12 per week	Feb. 28/83
Mrs. Kazimiera Kudrawec	Cleaner	Property Mtce. Division of Real Estate	replacement for Victoria Walker - off sick (not expected to return)	C-1	\$6.386 per hour	Feb. 7/83
Miss Paula Luciani	Clerk Typist I	Treasury	replacement for Carol Beatty - transferred	E-3	\$272.67 per week	Feb. 14/83
Mr. Michael Reilly	Building Inspector	Building	replacement for William Pooler - promoted	A-12	\$451.64 per week	Feb. 21/83
Mr. Nicola Ruggiero	Truck Driver & Labourer	Cemetery Division of Public Works	replacement for Augustino Maniaci - promoted	D-7 & D-5	\$9,410 & \$9,300 per hour	Feb. 21/83

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN PERMANENT SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Miss Lisa Serrick	Chief Steward	Convention Centre	replacement for Mary Jane Delottinville - resigned	C C-33	\$15,999.88 per annum	Feb. 14/83
Miss Jacquelyn Settle	Cashier	Treasury	replacement for Lynda Parker - resigned	E-4	\$301.18 per week	Feb. 21/83

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Marten Lewis	Managing Director, Hamilton Historical Board	Dundurn Castle Division of Culture and Recreation	resignation	4 years & 4 months	Feb. 18/83
Mr. Alfred Pilson	Truck Driver (Litter Containers) & Labourer	Public Works	retirement	11 years & 10 months	Feb. 28/83
Mr. Owen Williams	Banquet Manager	Convention Centre	resignation	1 year & 3 months	Feb. 24/83

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mrs. Margaret Anderson-Herrmann	Project Manager (temporary)	Culture and Recreation	government program	n/a	\$6.500 per hour	Feb. 18/83
Miss Lorraine Bigrigg	Project Worker (temporary)	Culture and Recreation	government program	n/a	\$4.200 per hour	Feb. 28,
Mr. John Billington	Maintenance Man II (temp./part-time)	Convention Centre	replacement for William Abbott - terminated	C C-93	\$5.000 per hour	Feb. 14/83
Miss Kathyann Davidson	Project Worker (temporary)	Culture and Recreation	government program	n/a	\$4.200 per hour	Feb. 28/83
Mr. John Geerdink	Checker (temp./part-time)	Culture and Recreation	replacement for Wayne Rowley - resigned	n/a	\$3.500 per hour	Feb. 16/83
Mrs. Jocelyne Guillemette	Project Worker (temporary)	Treasury	government program	n/a	\$168.00 per week	Jan. 31/83
Miss Deborah Herkimer	Project Worker (temporary)	Treasury	government program	n/a	\$168.00 per week	Jan. 31/83
Mr. Frederick Howard	Garbage man (temporary)	Public Works	replacement for Mr. C. Boehner - off sick	D-8	\$9.460 per hour	Feb. 17/83
Mrs. Grace Jones	Historical Interpreter (temp./part-time)	Dundurn Castle Division of Culture and Recreation	replacement for Deborah Herkimer - resigned	DC-3	\$4.600 per hour	Feb. 18/83
Miss Wende Kerton	Project Worker (temporary)	Community Development	government program	n/a	\$4.200 per hour	Feb. 23/83

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Miss Rita Ladjansky	General Assistant (temp./part-time)	Dundurn Castle Division of Culture and Recreation	replacement for Anna Bradford-Porter - resigned	n/a	\$4.290 per hour	Feb. 19/83
Mr. Franco Liberatore	Tree Climber (temporary)	Public Works	temporary additional staff as approved	D-9	\$9.510 per hour	Feb. 21/83
Miss Bunny Lockhart	Community Sports Organizer (temp./part-time)	Culture and Recreation	replacement for Ruth Langtry - promoted	n/a	\$3.500 per hour	Feb. 15/83
Miss Mary McCafferty	Project Worker (temporary)	Community Development	government program	n/a	\$4.200 per hour	Feb. 22/83
Mr. George Smith	Checker (temp./part-time)	Culture and Recreation	replacement for Alexander Greychuk - resigned	n/a	\$3.500 per hour	Dec. 3/82
Mrs. Linda Tait	Project Manager (temporary)	Treasury	government program	n/a	\$250.00 per week	Jan. 31/83
Mrs. Marlene Taylor	Receipts Clerk II (temp./part-time)	Parking Authority	hours reduced to two days per week	PA-4	\$7.791 per hour	March 7/83
Mr. Ronald Tischler	Checker (temp./part-time)	Culture and Recreation	replacement for Ronald Pfeffer - resigned	n/a	\$3.500 per hour	Feb. 16/83
Mrs. Maureen Tyleman	Cashier (temp./part-time)	Culture and Recreation	replacement for Elizabeth Murray - resigned	n/a	\$3.750 per hour	Feb. 28/83

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. John Vucskan	Tree Climber (temporary)	Public Works	temporary additional staff as approved	D-9	\$9.510 per hour	Feb. 21/83

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Bradley Adamson	Checker (temp./part-time)	Culture and Recreation	termination	7 1/2 months	Feb. 13/83
Mr. William Elliott	Chief Monitor (temp./part-time)	Culture and Recreation	termination	10 months	Feb. 17/83
Miss Nancy Eves	Cashier (temp./part-time)	Culture and Recreation	resignation	1 year & 5 months	Feb. 12/83
Miss Deborah Herkimer	Historical Interpreter (temp./part-time)	Dundurn Castle Division of Culture and Recreation	resignation	2 years & 8 months	Jan. 30/83
Mr. Ralph Iles	Caretaker (temporary)	Property Mtce. Division of Real Estate	resignation	5 weeks	March 11/83
Mrs. Elizabeth Murray	Cashier (temp./part-time)	Culture and Recreation	termination	2 months	Feb. 27/83
Mr. Duarte Pavao	Checker (temp./part-time)	Culture and Recreation	termination	5 months	Feb. 20/83
Mrs. Gail Piche	Clerk Typist I (temporary)	Treasury	termination	3 months	Feb. 11/83
Mr. Ronald Pfeiffer	Checker (temp./part-time)	Culture and Recreation	resignation	4 1/2 months	Feb. 5/83
Mr. David Strong	Checker (temp./part-time)	Culture and Recreation	termination	4 1/2 months	Feb. 13/83

REPORT OF THE SPECIAL COMMITTEE ON JOBS

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Special Committee on Jobs presents its **THIRD** Report for 1983 and respectfully recommends:

1. That whereas City Council at its meeting held August 31, 1982 adopted Section 2 of the Fifteenth Report of the Finance Committee which reads as follows:
 - "2. That the City of Hamilton adopt a policy of 10% Canadian Content Preference on all public tenders for goods or services, excepting those items covered by the Canada/U.S. Auto Pact and Sodium Chloride, and that the National Standard of Canada CA2-147.3-82 definition be used as the criteria for the definition of Canadian Content."

It is now recommended that the City of Hamilton adopt a further 5% Regional Content Preference on all public tenders for goods or services, excepting those items covered by the Canada/U.S. Auto Pact and Sodium Chloride.

2. That the City of Hamilton act as sponsor for the Canadian Centre for Occupational Health and Safety (C.C.O.H.S.) by endorsing, on behalf of C.C.O.H.S., applications to the Summer Canada Student Employment Program for 1983.

NOTE: The role of the City of Hamilton in this endeavor will be as a Sponsor of Convenience, which means that the City of Hamilton will bear no direct cost for any of these proposed applications. As Sponsor, however, the City will receive the funds, if approved, from the Federal Government for apportionment and any summer staff involved in the program will be paid through the payroll facilities of the City of Hamilton.

Total costs for the proposed applications will be \$60,102 (to be borne by the Federal Government) and the total number of jobs that will be created is nineteen.

3. That:
 - i. The Economic Development Board be requested to provide copies of their Business Directory to all members of the Hamilton District of the Purchasing Management Association of Canada at no cost to encourage them to source local suppliers; and
 - ii. The Hamilton and District Chamber of Commerce and the Better Business Bureau be requested to provide their directories to these members at no cost to provide effective information for purchasing personnel to use in locating local suppliers.

4. That:

- i. An open letter to small businesses in Hamilton, appended hereto, be inserted in the Spectator and the local Hamilton community newspapers and;
- ii. Arrangements be made with the Post Office for a special mail delivery of this letter to the small businesses in the City of Hamilton; and
- iii. The Finance Committee be requested to recommend the method of financing the above proposals at a cost, not to exceed, \$2,200.

RESPECTFULLY SUBMITTED,

MAYOR R. MORROW, CHAIRMAN

R. C. Prowse,
Secretary

March 25, 1983

TO SMALL BUSINESSES IN HAMILTON

It is the view of the City of Hamilton's Special Committee on Jobs that the small business sector is the backbone of the Canadian Economy and the Committee is concerned that Government is not providing adequate assistance to this sector. It is the goal of the Special Committee on Jobs to develop a Small Business Support Strategy.

At its meeting held Friday, February 25, 1983, the Committee unanimously agreed that the owners of small businesses in the community should be approached and offered the opportunity to suggest how they might best be assisted during these serious economic times. The Committee will consider suggestions, whether they relate to Regional, Provincial or Federal jurisdiction. If the Committee cannot act directly on an accepted suggestion, it will promote the suggestion before the appropriate level of government.

Should you feel that you have a proposal which would merit the consideration of the Special Committee on Jobs, we would ask for your advice and assistance, in writing, at your earliest convenience. Once your proposal is received, you will be invited to attend a public meeting at which time your submission will be discussed with the Committee.

It is the Committee's hope that, in this manner, some of the problems facing small businesses today, might be resolved to the satisfaction of everyone concerned.

Robert M. Morrow
Mayor

cc. MLA's
MP's
Regional Council

NOTICE OF MOTION

Alderman H. Merling gave notice that he would move the following Notice of Motion at the next regular meeting of Hamilton City Council.

Resolved: that the Council of The Corporation of the City of Hamilton request the Province of Ontario to amend the Public Libraries Act, R.S.O. 1980, Chapter 414, in order to provide that the Hamilton Public Library Board shall be more accountable to the Council of The Corporation of the City of Hamilton relative to the operation and management of the Hamilton Public Library system, including matters related to personnel and financing.

NOTICE OF MOTION

Alderman M. Davison gave notice that he would move the following Notice of Motion at the next regular meeting of Hamilton City Council:

WHEREAS, the present recession appears to be symptomatic of a much larger structural crises in the international system of capitalism. Observers point out that profound changes are taking place in the structure of both capital and technology which are bound to have serious social impacts on labour.

AND WHEREAS, if technology and capital are not harnessed by society to serve basic human needs, they are likely to become the enemy rather than an ally in the development of peoples.

AND WHEREAS, in addition, the renewed emphasis on the "survival of the fittest" as the supreme law of economics is likely to increase the domination of the weak by the strong.

AND WHEREAS, within Canada itself, the top 20% of the population receive 42.5% of total personal income while the bottom 20% receive 4.1%. These patterns are likely to further intensify as the "survival of the fittest" doctrine is applied more rigourously to the economic order.

AND WHEREAS, the federal and provincial wage control programmes are inequitable, imposing the same control rate on lower incomes as on upper incomes. If successfully implemented, these programmes could also have the effect of transferring income from wages to profits. Yet, there are no clear reasons to believe that working people will ever really benefit from these and other sacrifices they are called to make. For even if companies recover and increase their profit margins, the additional revenues are likely to be reinvested in some labour-saving technology, exported to other countries, or spent on market speculation or luxury goods.

AND WHEREAS, in developing strategies for economic recovery, we firmly believe that the first priority must be given to the real victims of the current recession namely -- the unemployed, the welfare poor, the working poor -- pensioners, native peoples, women, young people -- and small farmers, fishermen, some factory workers and some small business men and women. This option calls for economic policies which realize that the needs of the poor have priority over the wants of the rich; that the rights of workers are more important than the maximization of profits; that the participation of marginalized groups has precedence over the preservation of a system which excluded them.

NOW THEREFORE BE IT RESOLVED, that this Council commend The Episcopal Commission for Social Affairs, Canadian Conference of Catholic Bishops, for their courageous and praiseworthy stand taken in the statement entitled "Ethical Reflections on the Economic Crisis"; that this Council endorse the statement and adopt it as the keystone of a municipal strategy for economic recovery.

AND BE IT FURTHER RESOLVED, that this resolution be forwarded to the Rt. Hon. Pierre E. Trudeau and our area Members of Parliament, to the Hon. William G. Davis and our area Members of the Legislative Assembly, and to all Canadian municipalities with populations in excess of 10,000, requesting their endorsation.



Urb/Mun Agenda
Bulletin Board

APR 8 1983

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

Tuesday, April 12, 1983
7:30 o'clock p.m.
Council Chambers
City Hall

A G E N D A

1. Prayer
2. Proclamation - Volunteer Week
3. Minutes of Previous Meeting held March 29, 1983
4. Correspondence and petitions (attached) - City Clerk
 - (a) Mrs. Diane Murdoch, Executive Secretary
Council of Regents for Colleges of Applied Arts and Technology
5. Reports of Standing Committees - attached
 - B Parks and Recreation Committee
 - C Finance Committee
 - D Planning and Development Committee
 - E Legislation Committee
 - F Personnel Committee
6. Consideration of Notices of Motion given at previous meeting - attached
 - (a) Alderman S. Collins
7. Notices of Motion for next meeting
8. First reading of Bills
9. Second reading of Bills - Committee of the Whole
10. Third reading of Bills
11. Question period
12. Adjournment

C O R R E S P O N D E N C E



23

10

MAR 23 1983
CITY CLERK

4 (a)

Office of the
ChairmanCouncil of Regents
for Colleges of
Applied Arts and
Technology

(416) 965-4234

10th Floor
Mowat Block
Queen's Park
Toronto, Ontario
M7A 1L2

March 23, 1983

Mr. E.A. Simpson
City Clerk
The Corporation of the
City of Hamilton
City Hall
Hamilton, Ontario
L8N 3T4

Dear Mr. Simpson:

This letter is to advise you that at the March 17, 1983 meeting of the Ontario Council of Regents, Mr. Henry Hynd was reappointed to the Mohawk College board of governors for a term which will expire on December 31, 1983.

By copy of this letter, we are advising the Secretary of the Mohawk College board of governors of the above-mentioned appointment.

Yours truly,

Diane Murdoch (Mrs.)
Executive Secretary

cc - Secretary, Board of Governors

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **NINTH** Report and respectfully recommends:

1. With respect to tendering for the Trade Centre/Arena Project that:

- a) Base tenders contain the normal 2 year Guarantee Clause, with alternative prices to be stated for:
 - i. one year guarantee
 - ii. two year guarantee with specific items limited to one year; and that a final decision on type of guarantee be made upon receipt of tenders by the Sub-committee and Council.
- b) The following procedure be adopted for changes:
 - i. All contemplated changes be submitted to the City Solicitor for comment and/or information and to the Sub-committee.
 - ii. Any technical changes with a cost under \$1,000.00 may be approved by the Co-ordinator.
 - iii. Any technical changes costing over \$1,000.00 and all design or functional changes be submitted to the Sub-committee for approval.
 - iv. Major design and functional changes or changes which will elevate the project cost above the approved appropriation, be submitted by the Sub-committee to City Council for approval.
- c) A Pre-qualification procedure be used to receive alternative detailed proposals from the three seating manufacturers capable of producing the seats, and the Sub-committee review these submissions and approve the models and qualities to be inserted in the contract.
- d) The contract include an offer of the use of the Bay/Napier/York/Caroline block by the Contractor at no charge, with a four month notice period for vacating the site, and subject to normal safety and liability requirements.

NOTE: See Appendix "A" for the detailed procedure for tendering.

2. Approval of the proposed procedure, terms of reference and areas of responsibility for the Trade Centre/Arena foundation and the Parks and Recreation Committee as set out in the attached Schedule "B".

3. a) That the City encourage the Hamilton Steeler's Soccer Club to participate in the newly-formed Canadian Professional Soccer League, by approving on a one year basis, a basic rental rate of \$1,000.00 per game for 20 home games and 15% of the gross receipts derived from the sale of tickets for any game at which the attendance exceeds 6,000 patrons.
 - b) That the requests for storage facilities, sale of souvenirs directly related to the Hamilton Steelers, and the placement of 2 portable commercial banners around the playing field be referred to staff for consideration and further report.
 - c) That no action be taken this year on the request to paint a sign on the Stadium identifying same as "The Home of the Hamilton Steelers".
 - d) That the Hamilton Steelers Soccer Club submit a financial statement of their year's operation prior to December 31st, 1983.
 - e) That the City enter into a lease agreement with the Hamilton Steelers Soccer Club for the use of the Ivor Wynne Stadium for home games, under terms and conditions satisfactory to the City Solicitor.
 - f) That the City endorse the application being made by the Canadian Professional Soccer League, to allow for the sale of beer at the Ivor Wynne Stadium during the home games played by the Hamilton Steelers Soccer Club.
4. That Section 8 of the Sixth Report of the Parks and Recreation Committee adopted by City Council February 22, 1983 and reading as follows:

"That the Mayor and Chairman and/or Vice-Chairman of the Parks and Recreation Committee be authorized to hold preliminary meetings and discussions with any groups or individuals relative to the question of an N.H.L. Franchise for the City of Hamilton; and,

that these discussions continue under the explicit understanding that no commitment of City support shall be given to any proposal until such time as the appropriate committee(s) and Council have dealt with the matter; and

prior to the 31st of March, 1983, the Mayor and Chairman and/or Vice-Chairman of the Parks and Recreation Committee will make a recommendation as to the amount of time required to conclude these preliminary discussions."

be rescinded and that the following be adopted in lieu thereof:

"That the Mayor and Chairman and/or Vice-Chairman of the Parks and Recreation Committee continue to hold preliminary meetings and discussions with groups or individuals relative to the question of an N.H.L. Franchise for the City of Hamilton; and,

that these discussions continue under the explicit understanding that no commitment of City support shall be given to any proposal until such time as the appropriate committee(s) and Council have dealt with the matter; and,

that the Mayor and Chairman and/or Vice-Chairman of the Parks and Recreation Committee report back to the Parks and Recreation Committee at the conclusion of these preliminary discussions."

5. Approval of the renewal of the lease for the City lands Parks 1, 3 & 5A and the granting of a temporary right of way over Parts 2, 4 & 5 during the term of the lease, as shown on Reference Plan 62R-4025 to the Macassa Bay Yacht Club for a period of one year commencing July 1, 1983 at an annual rental of \$2,150.00 plus taxes (taxes for 1982 were \$2,046.46) and that the City Solicitor be authorized to prepare the necessary lease.
6. That approval be given for soil tests to be conducted by Trow Ltd., Soil Engineers, on City owned Lots 70, 71 and 72 Guildwood Drive at an estimated cost of \$850.00 to determine the suitability of the soil for the construction of residential dwellings.

The proceeds to be derived from the sale of these lots will be credited to the "5% Fund" (Account #0280-11) as the lands were originally acquired from the subdivider as a payment in lieu of cash in connection with his subdivision. Therefore, we would recommend that the expenditure of funds for soil tests be charged against the proceeds to be derived of Account #0280-11.

7. Approval of the sale of Lots 73 and 74 Guildwood Drive, each with a frontage of 40 feet by a depth of 100 feet to 450478 Ontario Limited for the total amount of \$40,000.00. A deposit cheque in the amount of \$500.00 is being held by the City Treasurer pending approval by City Council.

It is understood and agreed that:

- a) the Vendor does not warrant the suitability of the land for any development use or any proposed use, and the Purchaser understands that some fill has been placed on this lot.
 - b) the Vendor, upon completion of this transaction, will pay a commission of 5% of the purchase price to PEM Real Estate Limited, whose agent, Danny DiMillo, acted in this matter.
8. That the City of Hamilton lease to the Boy Scouts of Canada (Hamilton-Wentworth Region) the use of 9,437 square feet of the 5 acre proposed park at the foot of Bay Street subject to:
 - a) i. the Hamilton Harbour Commission confirming that the proposed lease is a public park use in accordance with their deed to the City of Hamilton,
 - ii. the approval of Council to amend By-law 77-65 to delete the subject property from the "LPN" zone,
 - iii. the approval of the Hamilton Region Conservation Authority, with respect to any docks or related facilities,
 - iv. the approval of Samuel and Sheridan Lax for the lease to the Boy Scouts of water lots necessary for the Scout's operation,
 - v. the Lessee submitting Development Plans to the satisfaction of the City of Hamilton as per Section 40 of the Planning Act prior to the erection of any permanent buildings or structures, or the establishment of any parking facilities to be used in conjunction with their operation.
 - b) That the Lessee erect at their own cost, any required improvements to the leased area

in a manner satisfactory to the Director of Public Works.

- c) That the lease term be for a period commencing May 1st, 1983 to December 31st, 1983. In view of the fact that the Boy Scouts of Canada (Hamilton-Wentworth Region) is a non-profit organization and a United Way agency, this department is recommending that due to the limited financial capabilities of Boy Scouts that the rent for 1983 be a flat rate of \$5.00 plus any realty and business taxes generated by this operation.
 - d) That the Boy Scouts acknowledge and agree that their facilities and location of the leased lands are to be relocated and or reduced by them in accordance with the City's Design Plan for the Special Open Space Policy Area during a subsequent lease term.
 - e) That the Mayor and City Clerk be authorized to execute a lease agreement in a form satisfactory to the City Solicitor.
9. In accordance with Section 4 of Item 7(d) of the Sixth Report of the Parks and Recreation Committee adopted by City Council February 22, 1983, that the location of the lands to be leased by Cap'n Bob's Boat Tours be along the south-west limit of Part 5, Plan 62R-5914. This area comprises 840 square feet.
10. In accordance with Section 1(d) of the Eighth Report of the Parks and Recreation Committee adopted by City Council March 29, 1983, that the location of the lands to be leased by the Hamilton-Burlington "Y" Sailing Club be along the south-west limit of Part 5, Plan 62R-5914. This area comprises 6,433 square feet.
11. Approval of the sale of Lot 69, Plan M-228 located along Guildwood Drive, having a frontage of 40 feet by a depth of 100 feet to Antonio Zizza for the total amount of \$20,000.00. A deposit cheque in the amount of \$500.00 is being held by the City Treasurer pending approval by City Council.

It is understood and agreed that

- a) the Vendor does not warrant the suitability of the land for any development use or any proposed use, and the Purchaser understands that some fill has been placed on this lot.
 - b) the Vendor, upon completion of this transaction, will pay a commission of 5% of the purchase price to PEM Real Estate Limited, whose agent, Danny DiMillo, acted in this matter.
12. That Section 4 of the Seventh Report of the Parks and Recreation Committee adopted by City Council on March 8, 1983 be rescinded in its entirety and be replaced by the following:

That approval be given to the sale of

- a) Part of Lot 191, Plan 426, with a frontage along the southerly limit of Whitney Avenue of 47.61 feet containing 3,996.7 square feet, (more or less)
- b) Part of Lot 76, Registrar's Compiled Plan 1480, having a frontage along the westerly limit of Emerson Street of 45 feet (more or less) by a depth of 143 feet (more or less) 13.71m x 43.59m
- c) Part of Lot 76, Registrar's Compiled Plan 1480, having a frontage along the westerly limit of Emerson Street of 91.86 feet (more or less) being triangular in shape and

containing 4,273.41 square feet (more or less)

in the total amount of \$46,000 to George Lammers in trust. The exact area is to be determined by a survey.

This Offer to Purchase shall be closed on or before July 14, 1983 and

It is understood and agreed that the Purchaser may assign his right to purchase all or any one of the said three parcels and that the sale of all or any one of the said three parcels may take place if requested by the Purchaser or his assignee on or before the said closing date by a separate deed from the City of each parcel and in any event, on or before July 14th, 1983.

Provided:

- a) The City shall hold and apply one-third of the \$4,800 deposit held herein, namely \$1,600.00 in respect of each parcel assigned, if any;
- b) The City receives from the Purchaser, a Notice of the assignment in writing setting out the name in full of the assignee, his address or business address and the parcel being assigned together with a further deposit in respect of the parcel assigned as follows:

Parcel 1 - \$1,750.00

Parcel 2 - \$1,750.00

Parcel 3 - \$1,100.00

and unless such Notice is received as aforesaid together with the said additional deposit, the assignment shall not be valid;

- c) the terms of this Agreement shall apply between the City and the assignee except that the assignee may not make a further assignment without the consent in writing of the City.
- d) the City receives on the closing of the sale of Parcel 1, the sum of \$17,500 and on the closing of Parcel 2 the sum of \$17,500 and on the closing of Parcel 3 the sum of \$11,000, less monies on deposit for each respective lot.

It is understood and agreed that the Vendor does not make any representation or warranty as to the suitability of the said lands for any development, use or any proposed use of the Purchaser however, it is understood and agreed that the Purchaser and his assignee, if any, shall have the right to satisfy themselves before taking title from the City and in any event, no later than the 27th day of May 1983 that,

- a) each of the said three parcels will constitute a residential building lot for a single family home in accordance with the City's Zoning By-laws and The Ontario Building Code; and,
- b) that a building permit may be obtained for a single family home on each of the said three parcels, which building permit the purchaser or his assignee is hereby authorized by the City to apply for. If the Purchaser or his assignee or either of them are not satisfied, then they must give the City notice in writing to that effect to the City Solicitor on or before the said date and if no such notice is received by the City by the said date, then this Agreement and the portion thereof assigned, if any, shall be a full

force of effect. But, if such notice is duly received by the City Solicitor then this Agreement or the portion thereof assigned to the person giving the notice shall be null and void. The full deposit will be returned to the Purchaser without interest. But, where an assignee has given such notice, the portion of the original deposit held in respect of the land assigned and the additional deposit paid by the assignee, shall be refunded to the assignee.

The Purchaser acknowledges and agrees that the previous contract between him and purchaser and the City as Vendor in respect of part of these lands and other lands arising as a result of his Offer to Purchase dated February 14th, 1983, and the City's letter of acceptance to him dated March 10th, 1983, has not been assigned by him but has been terminated by him. The Purchaser hereby releases the City from the said previous contract.

The Purchaser acknowledges that the City's title to a portion of the parcel fronting on the southerly limit of Whitney Avenue appears to be adverse possession only for a period in excess of ten years and that the City will provide a Declaration of Possession.

A certified cheque in the amount of \$4,800 is being held by the Treasury Department.

13. That total holdback in the amount of \$83,926.01 be released to Demik Construction Ltd., for completion of contract for Inch Park Rink/Pool complex pending receipt by the Treasury Department of the necessary forms from the Contractor and Legal Department.
14. That total holdback in the amount of \$25,139.07 be released to Kenneth Siddall Inc., for completion of contract for the irrigation system at Chedoke Golf course pending receipt by the Treasury Department of the necessary forms from the Contractor and Legal Department.
15. Approval of the awarding of the following contracts:

a) **JOHN CONNOR NURSERIES LTD., Waterdown, Ontario**

Supply & delivery of Various Trees in accordance with specifications
issued by the Director of Purchasing and Vendor's Tender for the total
sum of \$45,092.50

Note: The lowest of 6 tenders received.

b) **MAC LAWN SPRAY (1980) LTD., Hamilton, Ontario**

Spraying of Grass in various Cemeteries, in accordance with specifications
issued by the Director of Purchasing and Vendor's Tender for 1983, for the
total sum of \$12,816.00
with the City's option to renew the contract for two additional 1 year
contracts at \$14,153.00 for 1984 and \$15,486.00 for 1985.

Note: Lowest of 8 tenders received.

16. That the rental rates, as recommended in the Third Report of the Parks and Recreation Committee and approved by Council on January 25th, 1983, be amended to read as follows:

GLOBE PARK
(Softball Diamonds)

	Weekdays	Weekdays	Weekdays
PRESENT	\$5. morning/ afternoon/ evening	\$5. morning/ afternoon/ evening	\$5. morning/ afternoon/ evening
PROPOSED	\$3./hr	\$4/hr	\$5/hr

17. That the application by the Hamilton Folk Arts Heritage Council to hold "It's Your Day Canada" celebrations in Gage Park from June 30th - July 3rd, be approved subject to terms and conditions satisfactory to the Director of Culture and Recreation as follows:
- That \$2,000,000.00 Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as co-insured be provided.
 - That the location of various booths and activities within the park be subject to the approval of the Parks Division in order to reduce damage and high maintenance costs.
 - That all clean-up costs associated with the event as reported by the Parks Division be the responsibility of the Hamilton Folk Arts Council.
 - That discussions take place with the Hamilton-Wentworth Regional Police regarding police security and traffic control, all costs associated with service to be the responsibility of the applicant.
 - That there be no serving of alcohol in the park.
 - That the rental fee of \$27.00 per day for use of the bandshell be applicable.
18. That the City of Hamilton heartily endorse the efforts by McMaster University to persuade the Ontario Soccer Association that Hamilton is the best choice for locating the proposed Soccer Centre.
19. That the application by the Irish Canadian Club of Hamilton to hold its Annual Irish Feis in Ivor Wynne Stadium on Saturday, July 2, 1983 between the hours of 8:00 a.m. and 10:00 p.m., be approved subject to the following terms and conditions:
- That the rental fee be

\$742.00	
plus 27.00	Green Room Rental
<u>769.00</u>	
 - That proof of Comprehensive General Liability Insurance for Property Damage and Bodily Injury inclusive and aggregate, naming the Corporation of the City of Hamilton as the co-insured, be provided in the amount of \$500,000.00.
 - That Schedule "B" of the Operational Regulations for use of Ivor Wynne Stadium Complex be applicable.
20. That the request by the Concessionnaire, MacNab Arms Restaurant to review the payment schedule be approved as follows:

- a) That the Concession Contract be amended to enable the "Additional" sum owing the City, calculated on the basis of gross sales, to be based on monthly gross rather than the yearly estimate of gross now required to be prepaid as outlined below.
- b) That the City Solicitor be authorized to amend the agreement accordingly.

In accordance with this revised scale, monthly payments would be submitted based on the actual gross sales received.

The following would be the monthly gross sales parameters based on the present annual gross sales schedule incorporated in the agreement. (Clause 3,b(i), (ii), (iii), (iv), (v), (vi))

<u>Annual Gross Sales</u>	<u>Monthly Gross Sales</u>	<u>Additional Monthly Payment</u>
0 to \$399,999.00	0 to \$33,333.99	Nil
\$400,000.00 to \$499,999.99	\$33,334.00 to \$41,666.99	3%
\$500,000.00 to \$599,999.99	\$41,667.00 to \$50,000.99	3.9%
\$600,000.00 to \$699,999.99	\$50,001.00 to \$48,333.99	4.2%
\$700,000.00 to \$799,999.99	\$58,334.00 to \$66,666.99	4.6%
\$800,000.00 or greater	\$66,667.00 or greater	4.8%

On this basis, monthly payments would be more representative of the actual gross sales realized, and more in line with the actual cashflow. An adjustment could be made at year end to allow for the difference between the amounts collected under this proposal and the amount due under the terms of the present agreement.

21. That the application by CHCH-TV to tape four segments of the "Smith and Smith" television show in the Ivor Wynne Stadium on May 3rd, 1983 between the hours of 9:30 a.m. - 3:30 p.m. be approved subject to the following terms and conditions.
 - a) That the rental fee be \$742.00 flat rate.
 - b) That Schedule B of the Operation Regulations for use of the Ivor Wynne Stadium Complex be applicable.
 - c) That \$2,000,000.00 Comprehensive General Liability Insurance for Property Damage and Bodily Injury naming the Corporation as a named insured be provided.
22. For the information of the Members of City Council, the Parks and Recreation Committee advises of the resignation of Mr. Paul Hourigan as a member of the Special Events Advisory Committee.
23. That the firm of Skarratt Promotions Inc. be retained to conduct the Summer Concert Series, on behalf of the Special Events Advisory Committee, at a fee of \$500.00 per concert.

NOTE: Members of City Council are advised that an allocation of \$18,000.00 has been provided in 1983 for the Summer Concert Series, and it is intended that four or five Sunday night concerts will be held.

24. That the Hamilton Folk Arts Heritage Council be authorized to organize and conduct the 1983 July 1st concert and celebrations in Gage Park, on behalf of the Special Events Advisory Committee.

NOTE: For the information of the Members of City Council, an appropriation of \$8,000.00 has been provided in the 1983 estimates for the July 1st celebrations.

25. That the park on Barton Street East, now officially named "Crerar Park", but known to most residents as "Mahoney Park", be officially named "Mahoney Park"; and further,

that the name "Crerar Park" be considered for an alternative park-site.

26. That the Chairman or his nominee be authorized to attend the 1983 conference of the Ontario Municipal Recreation Association to be held in Cornwall, Ontario from May 25 - 28, 1983.

Respectfully submitted,

**ALDERMAN B. HINKLEY, CHAIRMAN
PARKS AND RECREATION COMMITTEE**

S. G. Hollowell, Acting Secretary
April 7th, 1983

TRADE CENTRE/ARENA
PROCEDURE FOR TENDERING

Page - 1 -

The Standard General Conditions used on all recent City building contracts will be used, with some minor editing which has been worked out in conjunction with the Solicitor's department. All tenders will be for a single lump sum fixed price, and responsibility will be assigned to a single general contractor.

It is proposed that the base tenders contain the City's usual two-year guarantee clause, but that alternative prices be requested for a one-year guarantee, and for a two year guarantee with specified items limited to one year. With the differing quotations in hand, the Sub-committee will be able to recommend the most cost-effective.

Each bidder will be required to provide a brochure describing his company, and to provide a complete list of proposed sub-contractors for examination in assessing the tenders. Our consultants will review all tenders and prepare a recommendation for us.

All responsibility for the conduct of the job will belong to the General Contractor. The Contractor will conduct his own job meetings and report actions taken. In addition, our consultant will maintain an office on the site to carry out normal inspections, shop drawing review and certification of accounts. They will report to us on all aspects of the work. Our own staff will prepare daily reports on their observations and will report any discrepancies to the contractor and consultant. For the Sub-committee's convenience, I propose to issue a bi-weekly progress report to indicate stage of work reached, progress relative to the schedule, note of any particular events, and a record of changes to the Contract.

Monthly invoices from the contractor will be subject to 10% hold-back under the new Construction Lien Act. After certification by our consultant, these will be forwarded to the Treasurer for payment.

Changes to the contract may be initiated by the issue of a Contemplated Change Order, describing the change and requesting a price for extra, credit or no change from the contractor. After further consultation with Alderman Gray it is suggested that the following procedure be adopted:

1. That all such contemplated changes be submitted to the Solicitor for information and/or comment.
2. That I be authorized to approve changes of a technical nature under \$1,000. cost.

continued page 2

3. That all technical changes costing over \$1,000., or design and functional changes, be submitted to the Sub-committee for approval.

When a change is approved under this procedure a Change Order will be issued by the consultants, authorizing the change to the Contract. No changes above the total contingency sum allotted for the purpose will be permitted, unless with the authorization of Council.

In preparation of the plans and specifications, our consultants have been instructed to include a list of products of Hamilton-Wentworth Region firms wherever their products are suitable, and have been provided with the business directory prepared by the Economic Development Department. We also intend to inform prospective sub-contractors and suppliers of the tender call through the Chamber of Commerce, Construction Association, and Purchasing Association.

We are recommending a prior pre-qualification be carried out among the three manufacturers capable of producing the 18,000 seats required. We will then be able to assess the actual quotations and qualities of the various models being offered prior to inclusion in the tender for the total contract.

The only major items which will be of non-Canadian origin are the seats mentioned above - all manufacturers use some percentage of imported components - and the centrifugal chillers for air-conditioning and ice-making. There are no Canadian-made alternatives to the latter items, except to use a completely different system including screw-type or reciprocating compressors which would increase power consumption by roughly 2/3 over the centrifugal machines.

In addition, a great deal more space would be required. It should also be noted that the system designed used R-11 freon as a compressant, which is more expensive than ammonia but is not hazardous should leakage occur.

Since the new Trade Centre/Arena will occupy the entire site, we are recommending that the block between Bay/York/Napier and Caroline be offered to the general contractor at no charge for use as a staging area and storage. This has been discussed with the Real Estate Department and is acceptable to them provided the contractor is required to give vacant possession upon four months notice, should there be a buyer for that site.

continued page 3

Our consultants have been monitoring the budget continuously and will present two further estimates; at the end of March, and just prior to tender. The estimated costs are on target at last report, and the plans are scheduled to be complete about the end of April. We presume that you will wish to call for tenders immediately upon receipt of the decision of the Ontario Municipal Board, (assuming it is favourable).

City of Hamilton
Treasury

March 21, 1983

Alderman Brian Hinkley, Chairman
and Technical Members of the
Trade Centre/Arena Subcommittee

Dear Alderman Hinkley

In accordance with your request, I am submitting the following for your consideration and comments.

My first impression was to put in narrative form only the proposed procedure, terms of reference and areas of responsibility for the Trade Centre/Arena Foundation and the Parks and Recreation Committee. For ease of presentation and for a quick overview, I thought if this was presented in the form of an organization chart, together with brief comments, the idea being conveyed might be more easily understood. I am, therefore, attaching for your consideration, a proposed organization chart on which I will offer the following to further clarify my proposal.

I believe we are all of the opinion there are two prime areas of responsibility. The chart is identifying that the Parks and Recreation Committee should continue to maintain the Trade Centre/Arena Subcommittee to continue in an advisory capacity to ensure that the project proceeds in an orderly fashion. By maintaining the Subcommittee, the Technical Staff Members will have a responsible body to report to if they encounter any problems in their areas of responsibility.

For example, the City Solicitor is responsible for making application to the Ontario Municipal Board, arranging the date of the hearing and ensuring that he has the necessary support staff present at the hearing. If he encounters any difficulties receiving approval, he has a body to report to and to make a decision for getting a recommendation to Council. The City Architect will have to maintain a close working relationship with the consultants for the project, be involved in reviewing the tender documents and making a recommendation to City Council on the contractor to be selected. After the contractor has been selected, the architect could still encounter some difficulties if the consultant or the contractor were to deviate from the agreements.

March 21, 1983

Alderman Brian Hinkley, Chairman
and Technical Members of the
Trade Centre/Arena Subcommittee - Page 2

In the attached organization chart, you will note it is proposed that negotiations for further funding of the project with the senior levels of government will remain the responsibility of the Subcommittee.

With reference to the Trade Centre/Arena Foundation, which is comprised of members of Council, it is proposed this body would act more or less in the capacity of a Board of Directors which would set forth terms of reference for the manner in which the money is to be raised, and also set policy for approval of Council. It is not proposed that they be compelled to take an active part in the raising of funds. It would, however, be expected that all members of the City Council would be available to meet with delegations to support the drive if necessary.

In the organization chart, you will note it is proposed there be a single Chairman responsible for the Fund Raising Committee. The reason for this designation is that in any organization, regardless of the purpose, it functions better if one person is in charge. In the chart you will also note I have suggested three subdivisions. You may be of the opinion this is too large or too small. My reasoning for proposing the three is as follows.

I look upon the Citizens Group as a specialized area where the fund raising approach could take many forms, i.e. door to door canvassing, street dances, dinners, entertainment packages, etc..

For the second classification, Industrial and Commercial Group, consideration could be given to subdividing this into two sectors. I have shown one person as Chairman and two Vice-Chairmen; you may wish to consider two Chairmen.

- (a) Commercial or business classification which would incorporate stores, insurance companies, small businesses, etc.
- (b) The second group which would be restricted to the industrial sector, such as Stelco, Dofasco, Westinghouse; the large industries.

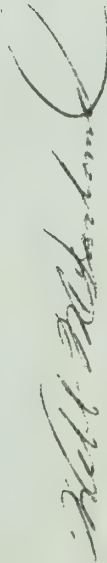
March 21, 1983

Alderman Brian Hinkley, Chairman
and Technical Members of the
Trade Centre/Arena Subcommittee - Page 3

In the third classification, Employee Organization, you might wish to consider a further segregation again between commercial and industrial. I, however, thought this should remain under a single Chairman without segregation. The campaign then could be directed to persons employed in the community to encourage direct contributions and hopefully arrange for payroll deductions.

This proposal is submitted for discussion purposes only, and is intended as a guide to developing proper reporting procedures and terms of reference for the two areas of responsibility.

Yours very truly

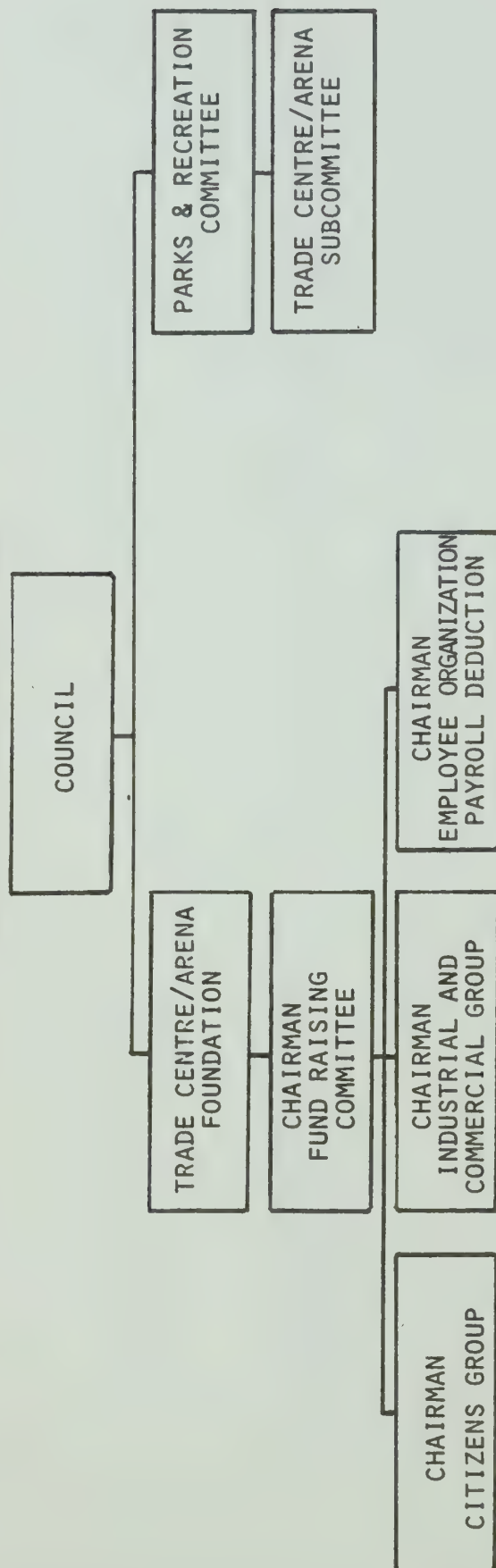


Webb McFarland
Treasurer and Commissioner of Finance

WHMcF/djd
Att'd

C

CITY OF HAMILTON
TRADE CENTRE/ARENA
PROPOSED ORGANIZATION CHART



NOTES:

- (1) THE TRADE CENTRE/ARENA FOUNDATION COMPRISED OF FIVE COUNCIL MEMBERS WILL SET THE POLICY AND TERMS OF REFERENCE FOR THE FUND RAISING COMMITTEE.
- (2) THE FUND RAISING COMMITTEE WILL ESTABLISH THEIR GOALS AND OBJECTIVES FOR APPROVAL OF THE FOUNDATION AND ASSUME RESPONSIBILITY FOR THE FUND RAISING DRIVE AND THE COLLECTION OF MONEY BY PUBLIC SUBSCRIPTION.
- (3) THE TRADE/CENTRE ARENA SUBCOMMITTEE ASSUMES THE RESPONSIBILITY FOR THE NEGOTIATION OF FURTHER GRANTS FROM THE PROVINCIAL AND FEDERAL GOVERNMENTS AND ACTS AS THE CO-ORDINATING BODY FOR THE PARKS AND RECREATION COMMITTEE IN THE FOLLOWING AREAS:
 - A. THE SUBCOMMITTEE WILL PREPARE A REPORT TO OUTLINE THE VARIOUS ALTERNATIVES UNDER WHICH THE FACILITY MIGHT BE MANAGED DURING AND AFTER COMPLETION.
 - B. THE LEGAL DEPARTMENT IS RESPONSIBLE FOR APPLICATIONS TO THE ONTARIO MUNICIPAL BOARD AND THE DRAFTING AND APPROVAL OF ALL LEGAL DOCUMENTS.
 - C. THE CITY ARCHITECT ENSURES CONTRACTUAL DOCUMENTS INCLUDE ADEQUATE SAFEGUARDS FOR THE CITY AND ADVISES THE CONSTRUCTION IS PROCEEDING IN ACCORDANCE WITH THE CONTRACTS ENTERED INTO.
 - D. THE TREASURY DEPARTMENT WILL MAINTAIN ALL FINANCIAL RECORDS AND REPORT MONTHLY ON THE FINANCIAL STATUS OF THE PROJECT.
 - E. IN ADDITION, THE SUBCOMMITTEE WILL DISCUSS WITH INDUSTRIAL AND COMMERCIAL ORGANIZATIONS THE POSSIBILITY OF FINANCIAL CONTRIBUTIONS FOR ADVERTISING PRIVILEGES AND/OR APPROPRIATE RECOGNITION FOR DONATIONS OF REQUIRED EQUIPMENT OR ANCILLIARY FURNISHINGS. (EG. TIME CLOCK, ORGAN, WALL HANGINGS, ETC.)

REPORT OF THE FINANCE COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its **EIGHTH** Report and respectfully recommends:-

1. Approval of the payment of the following accounts:-

- (a) Action was commenced against the City as well as James E. Campbell, James A. Bethune, Dennis A. Carson, Daniel Vyce and Gerard Keenan by Supreme Court of Ontario writ issued July 16, 1981 in which Mr. Wilson claimed damages for libel.

City Council, at its meeting held Tuesday, September 29, 1981, in adopting Section 6 of the Eighteenth Report of the Finance Committee authorized Mr. Vyce and Mr. Keenan to retain their personal solicitors in defence of the action and provided that all costs for same, subject to taxation if required, and any judicial awards that might be imposed against them, be fully assumed by the City.

Mr. Vyce and Mr. Keenan retained Mr. John F. Evans, Q.C. Mr. Evans submitted an account, dated July 26, 1982, in the amount of \$3,950.50, for services rendered to date and payment of same was approved by City Council at its meeting of December 14, 1982. Mr. Evans has now submitted a further account, dated March 1, 1983, in the amount of \$744.00, for services rendered since July 26, 1982 and has indicated that he will accept \$615.00 in payment thereof, which payment is being recommended.

- (b) City Council, at its meeting of March 8, 1983, in adopting Section 2(b) of the Sixth Report of the Finance Committee, approved the settlement of the claim of Annie Kozlowski in the amount of \$24,000.00 plus party and party costs to be taxed. The party and party costs have now been taxed in the amount of \$6,924.26, plus interest, payment of which is recommended.

2. Section 4 of the Third Report of the Special Committee on Jobs, as adopted by City Council March 29, 1983, requested the Finance Committee to recommend the method of financing of an open letter to small businesses in Hamilton at a cost not to exceed \$2,200.00.

The Finance Committee recommends that an amount not to exceed \$2,200.00, with respect to the publication and distribution of an open letter to small businesses in Hamilton be financed from Account No. 0378-3298, "Ontario Employment Incentive Programme".

3. That the employer contributions for Fire employees be increased from 6.81% to 12.67% of contributory earnings to cover the increased cost of benefits commencing in the year 1984.

NOTE: Due to recent increases in benefits, the Fire portion of the H.M.R.F. is in a deficit position at December 31, 1981. It has been suggested by the Actuaries that the Employer portion of contributions be increased to 12.67% of contributory earnings. This was done by the Region when the Police received additional benefits. The Fire Employee contribution has increased from 6.5% on all contributory earnings to 6.5% up to the Y.M.P.E. and 8% on any contributory earnings over the Y.M.P.E. The Y.M.P.E. for 1983 is \$18,500.00.

4. That the Ministry of Municipal Affairs and Housing be advised that the Council of the Corporation of the City of Hamilton is opposed to the Discussion Paper prepared by the Ministry of Municipal Affairs and Housing, dated February 1983, on the subject of Municipal Cost Sharing and Unconditional Grants with the exception of the recommended proposals with respect to the sharing of payment in lieu of taxes, at least until such time as the Ministry of Municipal Affairs and Housing can advise City Council of the overall cost effect on city taxpayers and that the Association of Municipalities of Ontario be advised as soon as possible of this decision.
5. That permission be granted to Opera Hamilton for the use of the first floor of the Old Library from April 18th to May 4th, 1983 for the purposes of rehearsal space for the opera "AIDA" and that a rental fee of \$200.00 be paid by Opera Hamilton for the use of the Old Library building during this time period.
6. Approval of the recommendation of the City Architect that the Hamilton Public Library Board be authorized to proceed with the supply and installation of additional lighting at the Central Library at an estimated cost of \$71,200.00. This expenditure forms part of the \$279,280.00 appropriation in Account No. 2321-0133 - Repairs and Maintenance - Buildings, Central Library.
7. Approval of the payment of grants in accordance with the following as provided for in the 1983 Estimates:-

<u>ORGANIZATION</u>	<u>ACCOUNT #</u>	<u>AMOUNT</u>	<u>CATEGORY</u>
(a) Canusa Games	0374-0105	\$18,000.00	#1
(b) Catholic Youth Organization	0374-0106	10,140.00	#1
(c) City Hall Fastball League	0374-0108	200.00	#2
(d) Civic Concert Choir of Hamilton	0374-0112	2,000.00	#2
(e) Hamilton Artist Inc.	0374-0116	2,000.00	#1
(f) Hamilton Cardinals Baseball Club	0374-0117	\$1,700.00	#1

	<u>ORGANIZATION</u>	<u>ACCOUNT #</u>	<u>AMOUNT</u>	<u>CATEGORY</u>
(g)	Hamilton Civic Employees Golf Tournament	0374-0118	250.00	#2
(h)	Hamilton Concert Band	0374-0120	9,000.00	#2
(i)	Hamilton & District Chrysanthemum Society	0374-0122	330.00	#1
(j)	Hamilton History Association	0374-0127	3,000.00	#3
(k)	Hamilton Horticultural Society	0374-0128	300.00	#1
(l)	Hamilton Hurricanes Football Club	0374-0130	2,540.00	#1
(m)	Hamilton Olympic Club	0374-0134	1,500.00	#1
(n)	Hamilton Safety Council	0374-0136	19,000.00	#1
(o)	Hamilton-Stoney Creek Skating Club	0374-0138	1,200.00	#3
(p)	Hamilton Theatre Inc.	0374-0140	6,500.00	#2
(q)	Hamilton Visually Impaired Golfers Assoc.	0374-0144	750.00	#2
(r)	Hamilton-Wentworth Aquatic Club	0374-0146	11,000.00	#2
(s)	Hamilton-Wentworth Assoc. for Children with Learning Disabilities	0374-0147	1,270.00	#1
(t)	Imperial Order Daughters of the Empire - Grant towards taxes	0374-0148	5,430.00	#1
(u)	Junior Achievement of Hamilton	0374-0150	7,500.00	#2
(v)	Kiwanis Club Westdale	0374-0152	1,910.00	#1
(w)	Kiwanis East End Boys' Club - Operating & Maintenance	0374-0154	63,412.00	#1

	<u>ORGANIZATION</u>	<u>ACCOUNT #</u>	<u>AMOUNT</u>	<u>CATEGORY</u>
(x)	Kiwanis East End Boys' Club - Taxes	0374-0156	\$28,910.00	#1
(y)	McMaster Symphony Orchestra	0374-0160	6,000.00	#2
(z)	Mount Hamilton Horticultural Society	0374-0164	300.00	#1
(aa)	National Youth Orchestra	0374-0168	200.00	#1
(ab)	Navy League of Canada	0374-0170	1,500.00	#2
* (ac)	91st Highlanders Track Meet	0374-0172	12,000.00	#1
(ad)	Opera Hamilton	0374-0176	85,000.00	#3
(ae)	Players Guild of Hamilton	0374-0178	5,000.00	#2
(af)	Ridge Raiders Drum & Bugle Corps	0374-0180	7,000.00	#1
(ag)	Royal Canadian Air Cadets	0374-0184	1,500.00	#2
(ah)	St. Ann's Inner City Day Camp	0374-0186	1,500.00	#2
(ai)	Senior Citizens' Drop-In Centre	0374-0188	200.00	#1
(aj)	Theatre Aquarius Inc.	0374-0190	30,000.00	#2
(ak)	Wentworth Figure Skating Club	0374-0192	1,200.00	#3
(al)	Zecchino D'Oro - Canada	0374-0194	800.00	#2
(am)	Sisters of St. Joseph of Cluny	0374-0189	4,000.00	#4
(an)	Te Deum Concert Society	0374-0191	4,500.00	#4
(ao)	Conqueror II Drum & Bugle Corps	0374-0198	1,000.00	#4
(ap)	Hamilton Multicultural Theatre	0374-0198	1,000.00	#3

<u>ORGANIZATION</u>	<u>ACCOUNT #</u>	<u>AMOUNT</u>	<u>CATEGORY</u>
(aq) Dictionary of Hamilton Biography	0374-0198	\$1,350.00	**
** For the purchase of fifty (50) hard cover copies of Volume I of the Dictionary of Hamilton Biography.			
(ar) Hamilton Lacrosse Association	_____	NIL	#5

* Approved by City Council on February 8, 1983.

NOTE: The various categories are listed below

- CATEGORY 1** Funding that is traditional in nature and is civic sponsored in other Canadian Communities and any increase, if requested and granted, is not to exceed the annual inflation rate or charges for city facilities.
- CATEGORY 2** Funding is to remain fixed at the 1982 level and any future enhancement is to be the responsibility of the organization involved.
- CATEGORY 3** City of Hamilton funding to be reduced by 20% of the 1981 grant commencing in 1982 with an additional 20% reduction to be applied in the next succeeding four years so that civic funding will cease after five years.
- CATEGORY 4** Funding to be limited to a one time only grant ("seed" money).
- CATEGORY 5** Funding by the City of Hamilton (Grants Committee) not considered appropriate.

Details respecting the Grant applications can be obtained from the Secretary, Finance Committee.

8. Approval of the payment of an account in the amount of \$779.72 submitted by the T.H. & B. Railway Company, which represents 50% of the cost of installing a chain link fence at the southerly end of Fairleigh Avenue South. This expenditure to be charged to Unclassified Account No. 0378-2766.

Respectfully submitted,

ALDERMAN, P. J. PETERSON, CHAIRMAN,
FINANCE COMMITTEE.

R. M. Collier, Acting Secretary.
April 7, 1983.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **EIGHTH** Report for 1983 and respectfully recommends:

1. That approval be given to **Zoning Application 82-43, Keith Anthony Alleson, owner**, requesting a modification to the established "C" (Urban Protected Residential etc.) District regulations for property located at No. 264 MacNab Street South, as shown on the attached plan marked as APPENDIX "A" on the following basis:
 - (a) That notwithstanding the provisions of Sections 9(1), 19(ii), 19(iii), 19(vi) and 19(viii) of By-law No. 6593, the existing building, including the front porch area, may be converted into a four-unit multiple dwelling, of which one dwelling unit shall have a minimum floor area of 48.22 m²
 - (b) That notwithstanding the provisions of Section 9(3)(i) and Section 19(x) of By-law No. 6593, a minimum front yard of 5.0 m shall be permitted
 - (c) That Section 18(3)(iv)(c)(1) of By-law No. 6593 shall not apply
 - (d) That notwithstanding the provisions of Section 4(6) of By-law No. 6593, vehicular access to the subject lands occupied by the four-unit multiple dwelling shall be permitted
 - (e) That the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-623A and that the subject land on Zoning District Map W-6 be notated S-623A
 - (f) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W-6 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk
 - (g) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area
 - (h) That By-law No. 79-275, establishing Site Plan Control Areas, be amended by adding the subject lands to Schedule "B".

Explanatory Note - The by-law will provide for a modification of the "C" (Urban Protected Residential, etc.) District regulations applicable to the property located at No. 264 MacNab Street South so as to permit the conversion of the existing three-family dwelling into a four-unit multiple dwelling. The location of this property is shown on Zoning District Map W-6.

In addition, the by-law also provides for minor variances to the provisions of the Zoning By-law to permit:

- (i) a reduction in the minimum floor area in one dwelling unit of 48.22 m² (519 sq. ft.) instead of 65.0 m² (699.65 sq. ft.);
- (ii) a reduction in the required minimum front yard from 6.0 m (19.69ft.) to a minimum of 5.0 m (16.40 ft.);
- (iii) the existing access driveway to be nearer to the wall of the principal building than 1.5 m (4.92 ft.);
- (iv) vehicular access to a multiple dwelling located in a "C" District;
- (v) a reduction in the width of the required parking spaces in the rear yard from the standard of 2.7 m (8.85 ft.) to 2.6 m (8.5 ft.)

and That application to the Ontario Municipal Board for approval of the subject Zoning By-law be withheld until such time as the following conditions have been satisfied:

- (a) That the applicant enter into an encroachment agreement with the City of Hamilton for that portion of the retaining wall which is located within the MacNab Street road allowance,
- (b) That the applicant provide "proof" that the public unassumed alleyway has been closed by a by-law.

2. That approval be given to **Zoning Application 83-13, M. A. Clark Funeral Home Limited, owner**, to establish a change in zoning and modification to the zoning regulations applicable to lands located at the rear of No. 567 Upper Wellington Street, as shown on the attached plan marked as APPENDIX "B" on the following basis:

- (a) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District;
- (b) That the "H" (Community Shopping and Commercial, etc.) District provisions as contained in Section 14 of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following variance as a special requirement:
 - (i) that a 1.5 m wide landscaped strip be provided along the side and rear lot lines within the property being rezoned, and that a visual barrier not less than 1.2 m nor more than 2.0 m high be provided within the landscaped strip;
- (c) That the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-823, and that the subject lands on Zoning District Map E-16 be notated S-823;
- (d) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and make application to the Ontario Municipal Board for approval on completion of its requirement by the City Clerk; and
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The by-law will provide for a change in zoning of the subject parcel of land from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District, to permit an extension to the existing funeral home for the purpose of providing a garage for parking and unloading of funeral vehicles, and additional off-street parking, as shown on Zoning District Map E-16.

In addition, the by-law will require the applicant to provide a 1.5 m (4.92 ft.) wide landscaped strip along the side and rear lot lines within the limits of the property being rezoned, as well as a visual barrier not less than 1.2 m (3.94 ft.) nor more than 2.0 m (6.56 ft.) to screen the property from the effects of car lights, etc.

3. That approval be given to **Zoning Application 83-03, Fenwood Developments Limited, owner**, to establish a modification to the zoning regulations applicable to property located at the north-west corner of Fennell Avenue East and Upper Ottawa Street, as shown on the attached plan marked as APPENDIX "C" on the following basis:
 - (a) That the "H" (Community Shopping and Commercial etc.) District regulations as contained in Section 14 of By-law No. 6593, applicable to the subject lands be modified as follows:
 - (i) That notwithstanding the provisions of Section 14(1) of By-law No. 6593, a public hall shall be permitted within the existing building.
 - (b) That the amending by-law be added to Section 19(b) of Zoning By-law No. 6593 as Schedule S824, and that the subject lands on Zoning District Map E-47 be notated S-824.
 - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The by-law provides for a modification to the established "H" (Community Shopping and Commercial etc.) District provisions, to permit, in addition to the uses established on the property located at the north-west corner of Fennell Avenue East and Upper Ottawa Street, a public hall within the existing building.

The subject lands are shown on Zoning District Map E-47.

4. That approval be given to **Zoning Application 83-15, Sam Aquino, owner**, to establish a change in zoning and a modification to the existing zoning for property located at the south-west corner of Stone Church Road East and Leaway Avenue, as shown on the attached plan marked as APPENDIX "D" on the following basis:
 - (a) That the lands shown as Block "1" be rezoned from "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District;
 - (b) That notwithstanding the requirements of Section 9(3)(iii) of Zoning By-law No. 6593, a rear yard of 1.75 m shall be permitted for the existing dwelling located on Block "2";

- (c) That the amending by-law be added to Section 19(b) of Zoning By-law No. 6593 as Schedule S-825, for Block "2", and that the subject lands on Zoning District Map E-38C be notated S-825;
- (d) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-38C and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk; and
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The purpose of the by-law is to provide for a change in zoning from "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, to permit the creation of two residential lots for the construction of a semi-detached dwelling on property located at the south-west corner of Stone Church Road East and Leaway Avenue (Block 1). The by-law also provides a modification to the existing "C" (Urban Protected Residential, etc.) District to permit a reduced rear yard of 1.75 m (5.74 ft.) for the existing dwelling located on the residual lands (Block 2).

- 5. That approval be given to **Zoning Application 83-16, 488248 Ontario Limited, owner**, requesting a modification to the established "H" (Community Shopping and Commercial etc.) District, for property located at Nos. 303-305 Dundurn Street South, as shown on the attached plan marked as APPENDIX "E" on the following basis:
 - (a) That notwithstanding the provisions of Section 18(12) of Zoning By-law No. 6593, a restaurant with a maximum seating capacity of 24 persons shall be permitted within the existing building
 - (b) That the amending by-law be added to Section 19(b) of the Zoning By-law as Schedule S-822 and that the subject land on Zoning District Map W-14 be notated S-822
 - (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W-14 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk
 - (d) That the proposed change is in conformity with the Official Plan for the Hamilton Planning Area

Explanatory Note - The purpose of the by-law is to provide a modification to the established "H" (Community Shopping and Commercial, etc.) District regulations applicable to a restaurant use, to permit a 24 seat restaurant to be located within the existing building, the location of which is shown on Zoning District Map W-14, notwithstanding that the proposed restaurant requires 4 off-street parking spaces, whereas no off-street parking spaces are being provided for the restaurant use.

- 6. That approval be given to **Zoning Application 82-50, Intercom Sales and Installations Limited, Lessee**, to establish a change in zoning and modifications to the zoning regulations for property located at No. 249 Stone Church Road East, as shown on the plan attached marked as APPENDIX "F" on the following basis:

- (a) (i) That approval be given to Official Plan Amendment No. 3, to establish a text amendment to the "Residential" designation for property located at No. 249 Stone Church Road East, in order to permit an electronics communications and security installations and contracting business within the existing principal building, together with existing accessory buildings for a workshop and the storage of parts used in conjunction with the business. All outside storage would be prohibited;
- (ii) That the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submission to the Ministry of Municipal Affairs and Housing;
- (b) That the lands described as Block 1 be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (c) That the "C" District provisions as contained in Section 9 of Zoning By-law No. 6593 applicable to the lands described as Blocks 1 and 2 be modified to include the following variances as special requirements:
 - (i) that in addition to the uses permitted in Section 9(1) of Zoning By-law No. 6593, the existing principal building may be used for an electronics communications and security installations and contracting business, and the use of existing accessory buildings for a workshop and storage of parts used in conjunction with the business;
 - (ii) that front yard parking be prohibited;
 - (iii) that outside storage be prohibited;
 - (iv) that a 1.5 m wide landscape strip in which is located a visual barrier not less than 1.2 m nor more than 2.0 m high be provided at the locations described as follows:
 1. the northerly 38.00 m of the westerly side lot line;
 2. the westerly 10.50 m of the northerly rear lot line;
 3. the easterly 5.50 m of the northerly rear lot line; and
 4. the northerly 45.00 m of the easterly side lot line;
 - (v) that the amending by-law be added to Section 19(b) of Zoning By-law No. 6593 as Schedule S-826, and that the subject lands on Zoning District Map E-18C be notated S-826;
 - (vi) that the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-18C and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk;
 - (vii) that the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No. 3;

Explanatory Note - The by-law will provide for the following:

1. A change in zoning of the rear portion of the lands located at No. 249 Stone Church Road East, described as Block 1 on the attached APPENDIX "F" from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.
2. A modification to the "C" (Urban Protected Residential, etc.) District applicable to the lands described as Blocks 1 and 2 to permit the existing principal building to be used for an electronics communications and security installations and contracting business, and the use of the existing accessory buildings for a workshop and the storage of parts used in conjunction with the business. In addition, front yard parking and outside storage is prohibited.
3. A 1.5 m wide planting strip in which is located a visual barrier not less than 1.2 m nor more than 2.0 m high be provided as specified.
4. The by-law is also subject to the approval of an Official Plan Amendment.
7. (a) That **Zoning Application 82-25, Sunoco Inc., and Suncor Inc., owners**, requesting a change in zoning from "AA" (Agricultural) District and "C" (Urban Protected Residential) District, to "HH" (Restricted Commercial) District, to permit a service station with self-serve facilities on land located at the south-east corner of Mohawk Road West and Upper Paradise Road be denied for the following reason:

It is considered that the proposed development would be inappropriate for traffic and land use reasons:

- (b) That the City Solicitor be authorized and directed to prepare a by-law to rescind By-law 82-226, which rezoned the subject lands.

Explanatory Note - At its meeting of September 28, 1982, City Council adopted the recommendation of the Planning and Development Committee that Zoning Application 82-25, Sunoco Inc., and Suncor Inc., be approved, and directed that an amending by-law be prepared.

At its meeting of October 12, 1982, City Council passed By-law No. 82-226, which rezoned the subject land.

In view of the number and nature of objections received to By-law No. 82-226, (157 objections) City Council, on December 14, 1982, referred Zoning Application 82-25 back to the Planning and Development Committee for further review.

On February 9, 1983, the Planning and Development Committee considered Zoning Application 82-25 and decided that another public meeting should be held to consider the application.

On March 30, 1983, a public meeting was held to consider the application, at which time the Committee decided to deny the application.

8. With reference to the **Purchase and Sale between Miraletto Holdings Ltd. and the City of Hamilton dated October 19, 1982**, of lands bounded by Queen Street South, Robinson Street, Hess Street South and Duke Street, formerly the old Ryerson School site, and Site Plan Control Application DA-83-01, by Miraletto Holdings Ltd. for approval of plans for a multiple residential complex on the subject lands, that the Durand Neighbourhood Plan be amended from "Institutional" to "Medium Density Residential" to reflect the proposed use of the property.
9. That a one-year extension of draft approval for **Application SA-76-36 "Thorner Survey No. 3", G. Malatesta, et al owner**, located on the west side of Upper Sherman Avenue south of Mohawk Road, be recommended to the Region. Regional File No. 25T-76049.
10. That a one-year extension of draft approval for **Application SA-76-29, "Butler No. 1", Parente Construction Limited, owner**, located at the south-east corner of Stone Church Road and Upper Wentworth Street, be recommended to the Region. Regional File No. 25T-76046.
11. That the City accept from **Abbotsford Homes Limited the lands in the Gourley Neighbourhood**, as shown on APPENDIX "G" attached, as a conveyance of land for public purposes.

Explanatory Note - Abbotsford Homes Limited has requested that it transfer 0.613 ha in the Gourley Neighbourhood to the City for public purposes.

12. That the request by C. Valery Construction Ltd., that the City pay to it the sum of \$111,590.00 in respect of a "Capital Charge" on three particular blocks in subdivisions which the Ontario Housing Corporation registered in 1972-1973, be denied.
13. That approval be given to **Site Plan Control Application DA 83-12 by Ravensgate Properties Inc., owner**, for an addition to an existing shopping centre, Gage Square, located at 952 Fennell Avenue East, subject to the following:
 - (a) approval by the Committee of Adjustment of the following variances:
 - (i) reduction of the required side yard from 9.0 m to 8.3 m
 - (ii) reduction of the area of parking spaces and driveways from the required ratio of 3.0 to 2.67 times the ground floor area of the buildings
 - (b) modifications to the plan related to traffic schedule and signs as marked in red on the plans
 - (c) that Agreements registered as Instrument No. 328639 AB on March 11, 1974 and Instrument No. 257357 AB on November 20, 1974, which established development plans for lands located at 952 Fennell Avenue East, be discharged and that the City Solicitor proceed accordingly.

Explanatory Note - The Agreements relate to plans and drawings for the development of a shopping centre at the south-east corner of Fennell Avenue East and Upper Gage Avenue. The shopping centre has been constructed and has been occupied for a number of years.

14. That the property located at **16 Wellington Street North** be exempted from **By-laws 75-61 and 75-175**. The purpose of this exemption is to allow a ground sign having an approximate area of 5.2 square metres (56 square feet) with a minimum of 2.6 metres (8.5 feet) from grade level; **and**

That the City Solicitor be authorized and directed to amend By-laws 75-61 and 75-175 to exempt the property at 16 Wellington Street North from said By-laws.

15. That approval be given to **City Initiative 82-N** respecting the designation of the Chief Planning Officer for the City of Hamilton to implement the new zoning by-law approval procedure under Section 39(26) of The Planning Act on the following basis:

- (a) That the Director of Local Planning for the Regional Municipality of Hamilton-Wentworth be appointed as the Chief Planning Officer for the City of Hamilton for the purpose of completing Schedule 3 of Form 1 referred to in Section 5 of R.R.O. 1980, Reg. 785.
- (b) That the Director of Development for the Regional Municipality of Hamilton-Wentworth be designated as the alternate Chief Planning Officer in the absence of the Director of Local Planning for the purpose of completing Schedule 3 of item 1 referred to in Section 5 of R.R.O. 1980, Reg. 785.
- (c) That the City Solicitor be directed to prepare a by-law accordingly.

Explanatory Note - The purpose of the by-law is to designate the Chief Planning Officer for the City of Hamilton under Section 39(26) of The Planning Act.

16. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-

970 Upper Wentworth Street
73 Mayflower Avenue
362 Avondale Avenue

17. That the City Solicitor be authorized and directed to prepare a by-law for the demolition of the building and the clearing of land at 308-310 Beach Boulevard, pursuant to Sub-section 21 of Section 43 of The Planning Act, R.S.O., 1980, Chapter 379.

Explanatory Note - The property at 308-310 Beach Boulevard is severely fire-damaged and deteriorated. Since no repairs have been made, the Building Department has enforced the Property Standards By-law and now has a binding order. The owner or persons having a financial interest have neither seen fit to comply with the Order, nor to appeal it.

18. That the City Solicitor be authorized and directed to prepare a by-law for the demolition of the building and the clearing of lands at 65 Beach Road pursuant to Sub-section 21 of Section 43 of The Planning Act, R.S.O. 1980, Chapter 379.

Explanatory Note - The property at 65 Beach Road is vacant and in a severely deteriorated condition, on both the interior and the exterior. The Building Department has proceeded against the property under the Property Standards By-law

and now has a final and binding Order. The owners, or persons having a financial interest in the property, have neither seen fit to comply with the Order nor to appeal it.

19. With reference to the sale of Lot 13, Hamilton Industrial Park No.1, to Gerald Brogan and George Gronwell:-

- (a) That Gerald Brogan and George Gronwell be granted an extension of the closing date to April 29, 1983, on the understanding that time is to remain the essence of the agreement.
- (b) That the option to purchase held on the adjacent Lot 14 by the purchasers be terminated.
- (c) The construction commencement dates will be six months after the closing date. The completion date of the building will be eighteen months after closing.
- (d) The original proposed building of 10,000 square feet be reduced to 7,000 square feet.
- (e) That in the event Mr. Brogan and Mr. Gronwell do not complete this transaction on April 29, 1983, the City Solicitor be authorized to inform the purchasers that the City shall consider their failure to complete the transaction a breach of the agreement and that the City will retain the deposit in the amount of \$4,412.00.

20. (A) . That the **City accept an Agreement to Accept Compensation** exclusive of legal fees for the sum of \$486,103.00 for the lands known as 129-131 Caroline Street North, 120 Caroline Street North and 11-13 Harriet Street, said agreement being that of Bessie Rochweg, Estate of Samuel Rochweg, Sam's Auto Wrecking, Harold Rochweg and Evelyn Wunder. The lands, which comprise an area of approximately .405 hectares (43,570 sq. ft.), were required for the development of Central Neighbourhood Park.

Pursuant to the Expropriation Act, an additional payment of simple interest at 6% per annum, is payable on that portion of the said sum which exceeds the official offer to compensation already received by the claimant. The amount upon which interest will be paid is \$30,433.00 commencing from the date of vacant possession, namely January 12, 1981 to the closing date of this transaction.

The compensation prescribed herein is subject to payment of outstanding rent owed by Mr. Harold Rochweg to the Corporation of the City of Hamilton in the amount of \$24,910.00 plus costs and interest, pursuant to a Judgment of the County Court of the Judicial District of Hamilton-Wentworth bearing Action No.10928/82.

The costs are chargeable to Account No. 0405-X90106.

- (B) That the amount of **\$9,500.00 for legal services rendered by the law firm of Foreman and Rosenblatt**, relative to the above expropriation and thereby compensable, be paid in full. This amount chargeable to Account No.0405-X90106.

21. That the **expropriation by the City from Lidia Braun** for all interests in the real property known as 1 Keele Street with structures erected thereon and having a frontage of 20.160 feet by a depth of 70.00 feet, for the sum of \$24,400.00, be completed. The cost to purchase this property is to be charged to Account No. 0280-35 (Reserve for Alpha Anclave).
22. (A) That the **Corporation of the City of Hamilton accept the sum of \$9,616.18** as cash payment in lieu of 5% Parkland dedication in connection with "**Corad Estates - Phase 2**" final plan of Subdivision.
- These lands are located to the north of Stone Church Road and east of Upper Paradise Road in the Gilkson Neighbourhood, City of Hamilton.
- (B) That the **Corporation of the City of Hamilton accept the sum of \$14,848.15** as cash payment in lieu of 5% Parkland dedication in connection with "**Donegel Heights**" final plan of Subdivision.
- These lands are located between Limeridge Road and the proposed Mountain Freeway, west of Upper Wentworth Street in the Bruleville Neighbourhood, Hamilton.
23. That the following list of applicants be submitted to City Council for approval authorizing the Department of Community Development to process loans in an amount not to exceed \$7,500.00. The actual amount of loan to be determined by inspection of the property under The Property Standards By-law 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under The Housing Development Act for the Ontario Home Renewal Programme (O.H.R.P.) or pursuant to By-law 78-113 for the Hamilton Rehabilitation Programme (H.A.R.P.).

That the officials of the Corporation involved in these Programmes be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme and the Hamilton Rehabilitation Programme.

Hamilton Rehabilitation Programme

D. MacDonald 90 Knyvet Avenue	S. Esposito 164 Cannon Street West
J. Magill 15 Cambridge Avenue	T. Wilkinson 172 Rosedale Avenue
H. Freeman 71 Megan Court	

Ontario Home Renewal Programme

J. Horst 32 Spring Street	M. Jarrett 766 Britannia Avenue	
C. Tanner 34 Cluny Avenue	B. Maxwell 69 Aurdra Street	cont.....

A. Botelho
380 Mary Street

P. Vasey
134 Edgemont Street North

K. Gelzynsky
70 Gage Avenue South

F. Carter
509 Upper Gage Avenue

M. Dorian
39 Stapleton Avenue

T. Beres
103 Cameron Avenue

E. Cohen
169 Emerald Street South

R. Hill
108 Simcoe Street East

24. (A) That the Downtown Business Improvement Area receive a total advance of \$10,268.44 from their approved 1983 Budget of \$100,000.00, **AND**
- (B) That the Finance Committee recommend the method of financing the advance of \$10,268.44 to the Downtown B.I.A. Board of Directors.

Explanatory Note - At its meeting held January 25, 1983, City Council, in adopting Section 22 of the Third Report of the Planning and Development Committee, approved the Downtown Business Improvement Area's 1983 Budget of \$100,000.00. On March 9, 1983 the B.I.A. Treasurer requested an advance of \$4,268.44 to purchase Christmas Lights and cover advertising costs for the position of a B.I.A. Manager, and on March 29, 1983, the B.I.A. Treasurer requested a second advance of \$6,000.00 to cover the Manager's salary and office expenses for a total advance of \$10,268.44. These expenditures are within the mandate of the B.I.A. and included in the approved B.I.A. Budget. An advance of these moneys is necessary to carry out its powers and duties.

It is proposed that the B.I.A. levy of \$100,000.00 will be collected in May 1983 at which time the advance will be returned to the City.

25. (A) That a grant and repayable loan in the amount of \$2,662.00 be approved for Mr. and Mrs. H. Freeman, 71 Megna Court for an electrical sliding door to enable Mr. Freeman, who is confined to a wheelchair, access to his house, **and**

That subject to approval a Lien be registered on Title indicating that a forgivable grant in the amount of \$1,331.00 be earned over a three year period and the balance of \$1,331.00 will be repaid to the Corporation of the City of Hamilton at the time of sale of the property. The interest rate on the repayable portion will be 0%.

- (B) That a grant and repayable loan in the amount of \$4,862.00 be approved for Mr. and Mrs. R. Ferguson, 81 Manning Avenue for the installation of a wheelchair lift for Mr. and Mrs. Ferguson's handicapped daughter, **and**

That subject to approval a Lien be registered on Title indicating that a forgivable grant in the amount of \$2,431.00 be earned over a five year period and the balance of \$2,431.00 will be repaid to the Corporation of the City of Hamilton at the time of sale of the property. The interest rate on the repayable portion will be 0%.

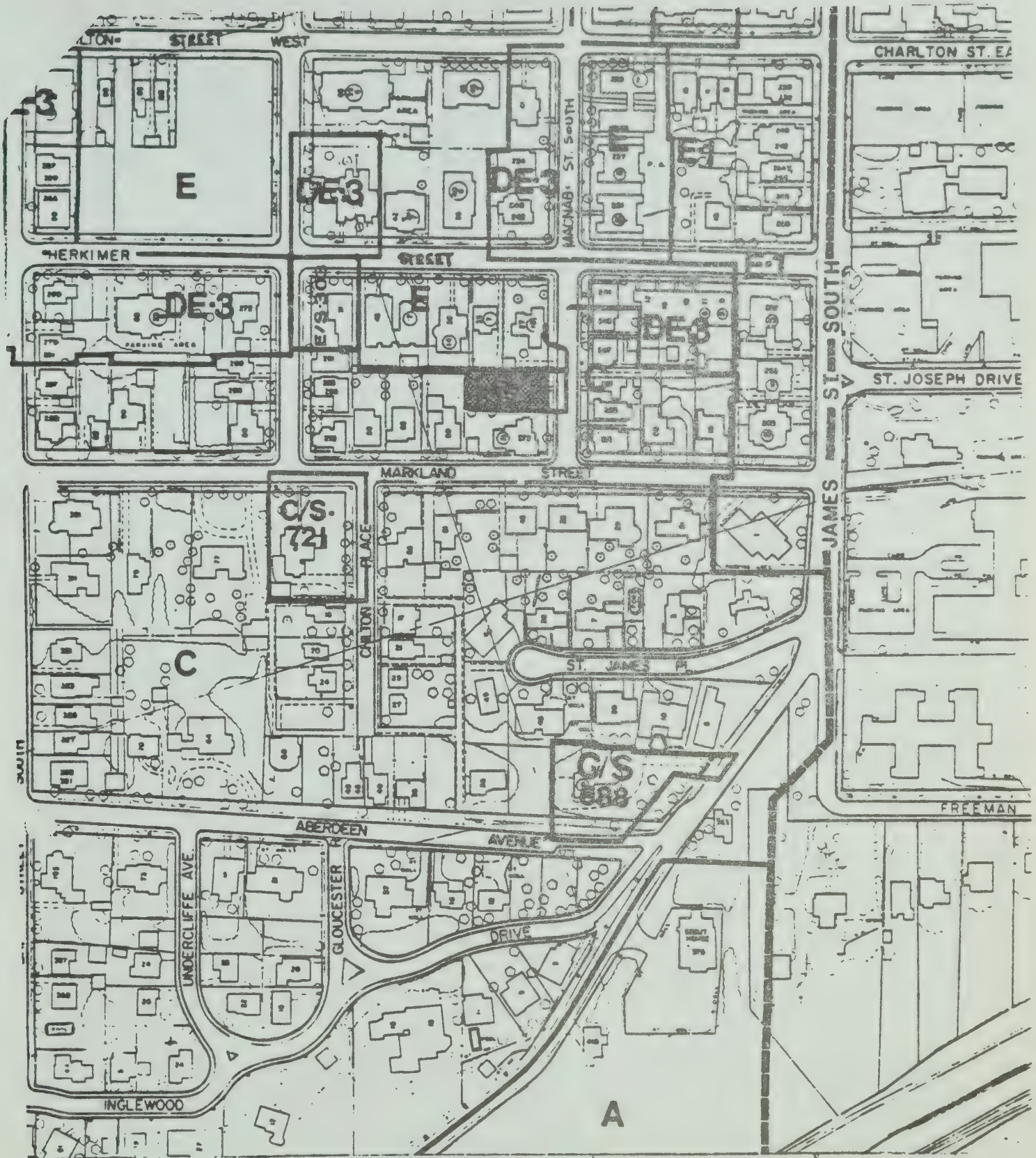
26. That leave be granted to introduce the following Bills:-

- (a) Bill D-54 - By-law to Amend Zoning By-law No.6593 respecting land located at Municipal No. 740 Upper Ottawa Street
- (b) Bill D-55 - By-law to Amend Zoning By-law No. 6593 respecting land located south of Stone Church Road East, in the area of Leaway Drive
- (c) Bill D-56 - By-law to Amend Zoning By-law No. 6593 respecting lands located to the north of Queenston Road and to the west of Grays Road
- (d) Bill D-57 - By-law to Adopt Official Plan Amendment No. 2, respecting land located at Municipal No. 587 James Street North
- (e) Bill D-58 - By-law to Amend Zoning By-law No. 6593 respecting land located at Municipal No. 587 James Street North
- (f) Bill D-59 - By-law to Adopt Official Plan Amendment No. 1, respecting land located at Municipal No. 56 Frederick Avenue
- (g) Bill D-60 - By-law to Amend Zoning By-law No. 6593 respecting land located at Municipal No. 56 Frederick Avenue
- (h) Bill D-61 - By-law to Authorize Repair of the Guards for the Landing for the Building located at Municipal No. 13-15 Bold Street
- (i) Bill D-62 - By-law to Amend Zoning By-law No. 75-61, as amended by By-law No. 75-175, respecting land located at Municipal No. 257 Main Street East
- (j) Bill D-63 - By-law to Amend Zoning By-law No.77-65 respecting land located in the West Harbour

Respectfully submitted,

JDT:bg
February 9, 1983

Alderman W. M. McCulloch
Chairman



LEGEND



Location of No. 264 MacNab Street South.

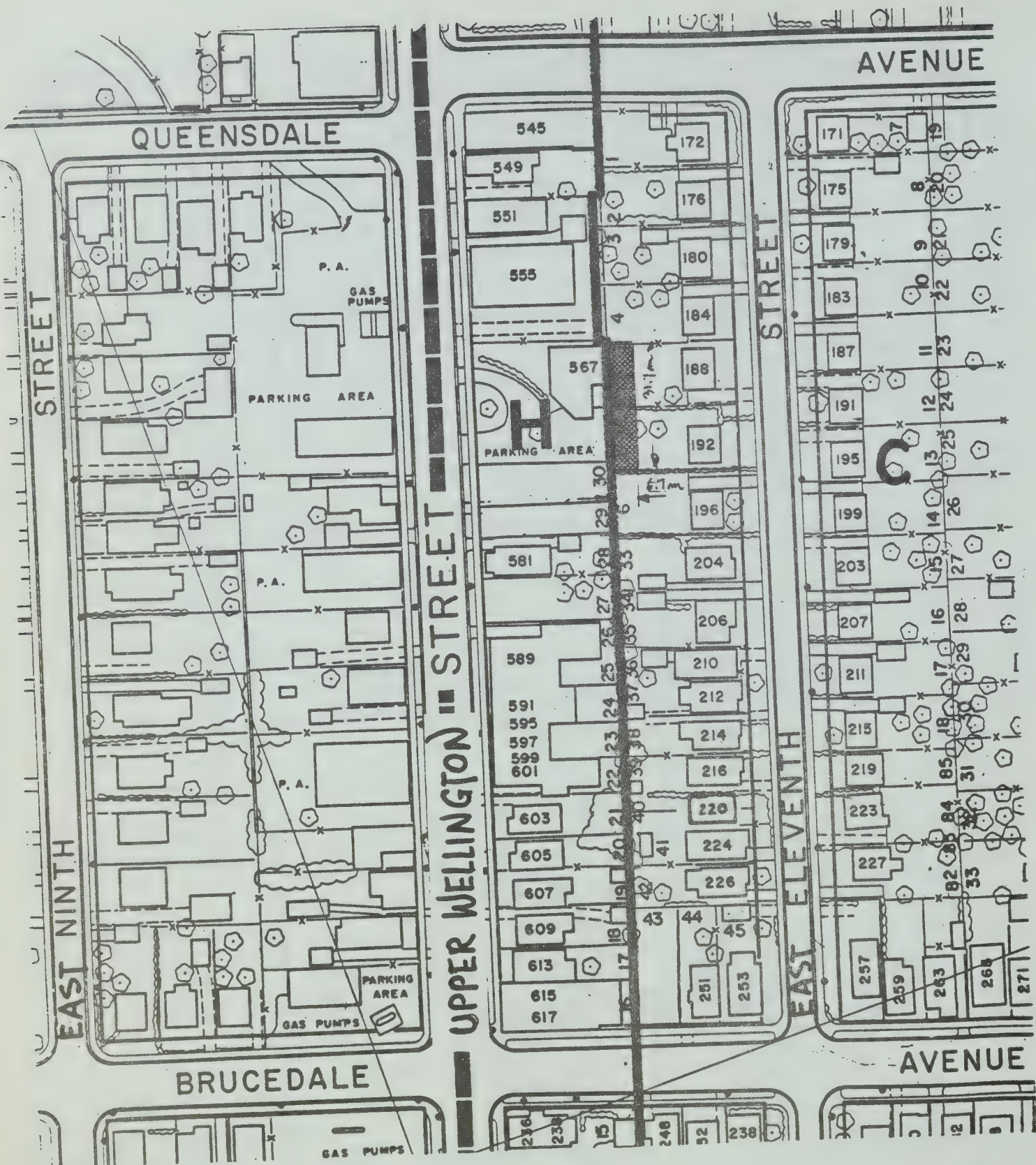
APPENDIX "A"

D-13

APPENDIX "A" 2482-43



E



LEGEND.



SITE OF THE APPLICATION

D-14

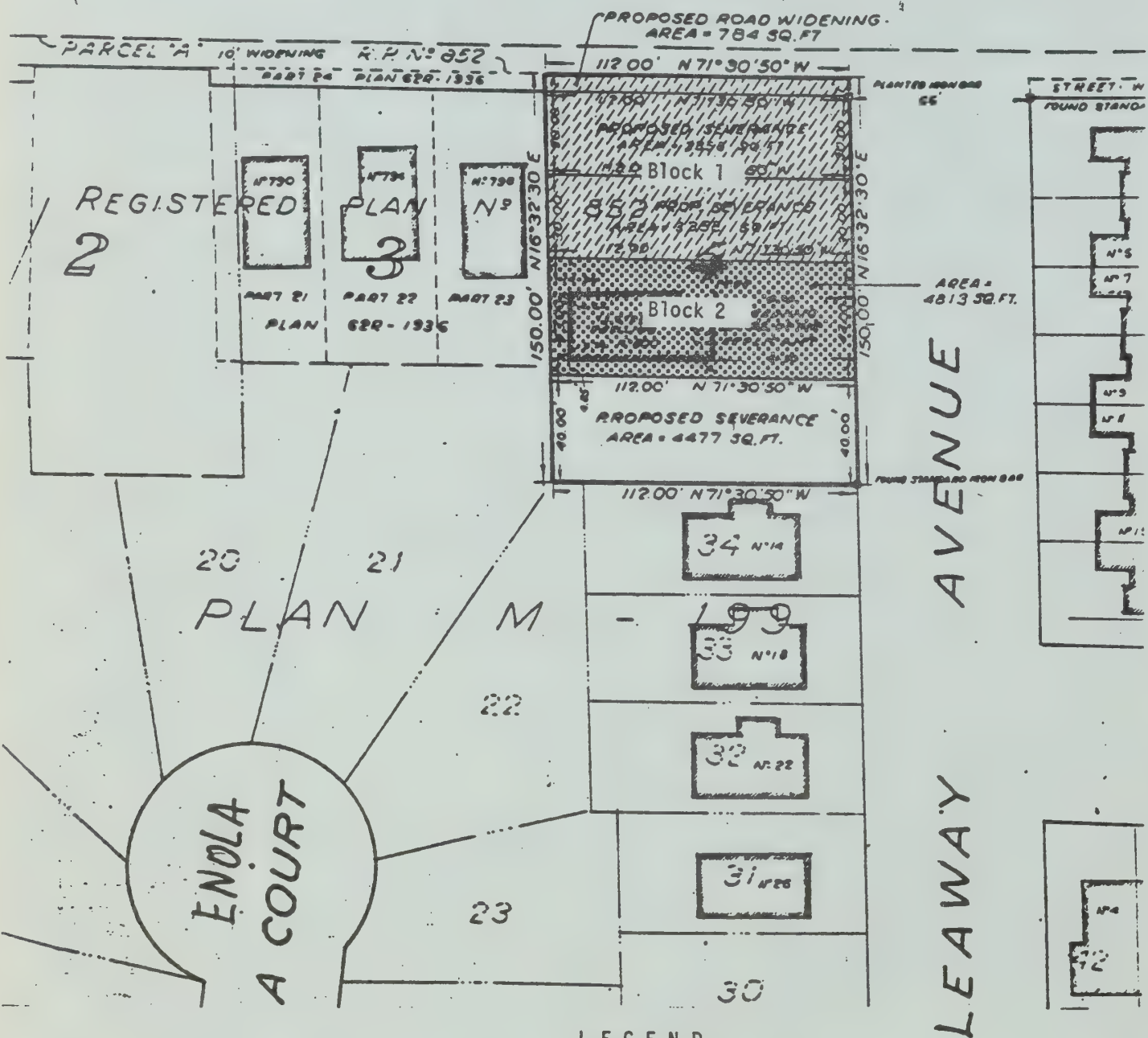
2A 83-12

E-16

APPENDIX "B"

APPENDIX "B"

STONE CHURCH ROAD EAST



LEGEND

Change in zoning from "C" (Urban Protected Residential, etc.) District to:



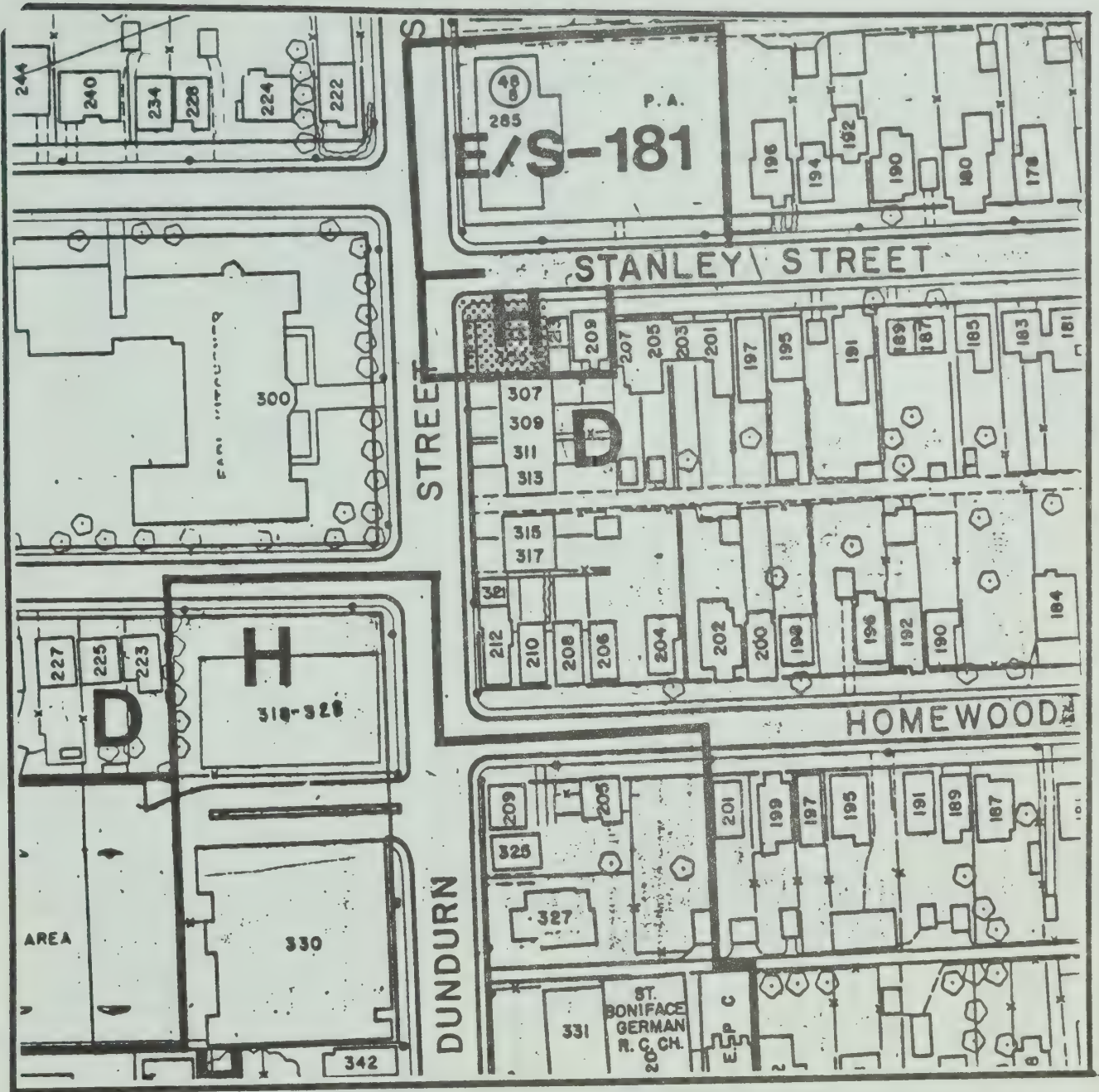
Block 1

"D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District



Block 2

"C" Modified



· SITE OF THE APPLICATION

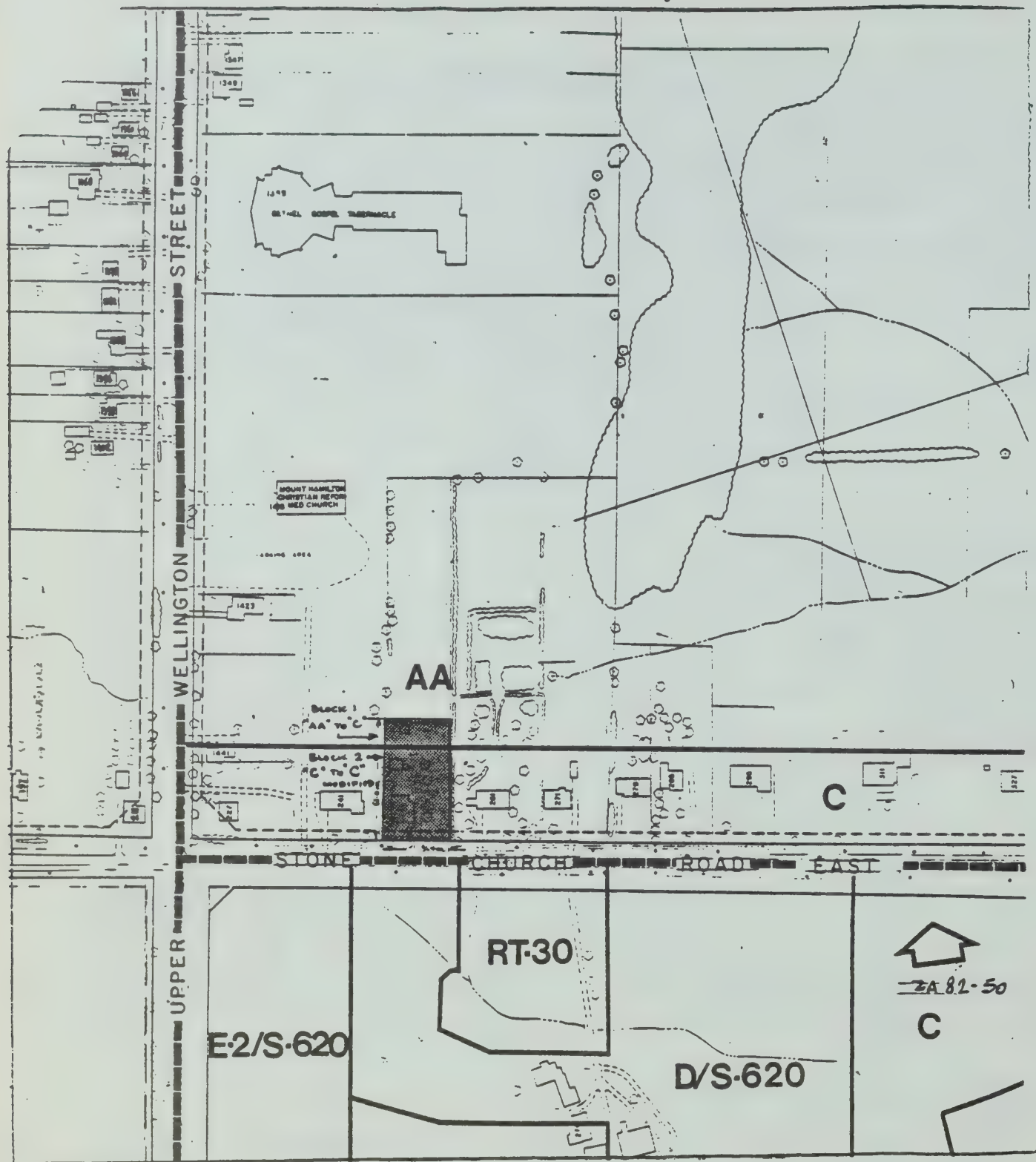
CITY OF HAMILTON
PLANNING DEPARTMENT

KIRKENDALL NORTH



ZA-83-16

E



LEGEND

BLOCKS
1 & 2



Lands for which a change in zoning from "AA" (Agricultural) District and "C" (Urban Protected Residential, etc.) District to "C" (Urban Protected Residential, etc.) District - modified, is proposed.

REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its **TENTH** Report for 1983 and respectfully recommends:

GRANTS AND CIVIC HOSPITALITY

1. That a grant in the amount of \$500.00 be made to the Full Gospel Businessmen's Fellowship, Hamilton Chapter, to be used to assist in defraying expenses incurred in staging and hosting their International Convention which was held in the City of Hamilton March 23-26 inclusive 1983. Approximately 1,000 delegates attended the Convention.
2. That a grant in the amount of \$200.00 be made to the Max Rotman Humanitarian Youth Award.
3. That no action be taken on the request from Sweet Adeline Incorporated, Region 16, for a grant in the amount of \$1,500.00 to assist in defraying expenses in connection with hosting the Regional Convention and Competition to be held in the City of Hamilton April 15-17, 1983. Estimates attendance - approximately 1,500 delegates. Hostess Chapter - Burlington Skyway Chapter.
4. That no action be taken on the request from the Ontario Psychogeriatric Association for a grant in the amount of \$2,000.00 to assist in underwriting the cost of invited speakers attending their Annual Conference to be held in the City of Hamilton October 3-5, 1983. Estimates attendance - 350 delegates.

RESOLUTIONS

5. That the following resolution submitted by the Special Committee on Jobs be endorsed:

WHEREAS in the Province of Ontario there are over 500,000 unemployed; and

WHEREAS many of the unemployed are desperate in their attempt to seek and secure full time employment; and

WHEREAS the activities of some firms are not effectively controlled, or the firms even covered by the Employment Agencies Act; and

WHEREAS firms such as Job Martin Hamilton are taking advantage of unemployed workers by charging a large fee to view jobs listings which are in the vastmajority of cases available to the public from other sources at no charge;

THEREFORE BE IT RESOLVED that the City of Hamilton request the Province of Ontario to amend the Employment Agencies Act to prohibit any firm from charging a fee to view job listings that are, in the main, taken from the classified section of newspapers and manpower office listings.

AND FURTHER that this resolution be circulated to Ontario municipalities with a population greater than 50,000.

6. That **no action** be taken on the following resolutions:-

(a) **City of Kitchener**

That the City of Kitchener request the Federal Government to consider amending the Income Tax Legislation to provide tax-free municipal debentures for purchases of municipal debentures and to incorporate such a procedure in new tax legislation in 1983.

And further, that this resolution be circulated to all Cities in Ontario for endorsement.

(b) **City of Kitchener**

WHEREAS in the Province of Ontario there are over 50,000 unemployed.

WHEREAS many of the unemployed are desperate in their attempt to seek and secure full-time employment.

WHEREAS some employment agencies operate under the umbrella as a Job Information Service and, therefore, are not covered under the Employment Agencies Act.

WHEREAS Employment Agencies can charge a fee for service without verifying that a job exists.

THEREFORE BE IT RESOLVED that the City of Kitchener requests the Province of Ontario to amend the Employment Agencies Act to include firms operating as a Job Information Centre and to further amend the Employment Agencies Act so that all Employment Agencies must verify that in fact a job opportunity exists prior to receiving payment from any individual seeking employment.

And further that this resolution be circulated to municipalities with a population greater than 50,000.

(c) **Borough of York**

WHEREAS the C.R.T.C. last May decreed that Pay T.V. channels must produce 30% Canadian content in their programming schedule;

AND WHEREAS First Choice Pay T.V. channel has concluded a contract with Playboy T.V. in Hollywood to show soft pornographic movies which do not fit the description of Canadian content;

AND WHEREAS it would appear such programming could be unduly exploitive and degrading to women;

AND WHEREAS the majority of members of the Association of Canadian Television and Radio Artists (A.C.T.R.A.) earn an annual income of less than \$2,000;

AND WHEREAS Pay T.V. channels should be providing increased work opportunities for Canadian performers;

THEREFORE BE IT RESOLVED that the Borough of York Council urges the C.R.T.C. to revoke the licence of First Choice Pay T.C. if it does not cancel its contract with Playboy T.V.;

AND FURTHER THAT we urge other municipalities in Ontario to support this motion.

(d) **Borough of York**

WHEREAS there is a serious shortage of affordable housing in Metro Toronto;

AND WHEREAS there is a vacancy rate of only 0.6 percent in apartments in Metro Toronto;

THEREFORE BE IT RESOLVED that the Borough of York Council urges the Provincial Government to limit rent increases to 5 percent until the vacancy rate improves and that we urge other municipalities in Ontario to support this motion.

7. That the City of Hamilton **not endorse** the following resolution from the Hamilton and District Labour Council dated March 23, 1983:-

That Hamilton City Council and the Regional Economic Development Committee take all measures necessary up to and including seizure of the plant to ensure that the Container Plant presently owned by Consolidated Bathurst Containers continues to operate and that the 141 jobs involved are not lost. Further, that an inquiry be conducted into the matter to ensure future operations of the plant.

8. Members of City Council are advised that the following resolution from the Regional Municipality of Hamilton-Wentworth, dealing with the removal of sex designations from documentations, was placed before the Legislation Committee for consideration at its meeting held April 5, 1983:-

THAT the Minister of Community and Social Services be requested to remove sex designations from their documentations; and

That this recommendation be circulated to all municipalities in Ontario with a population of 50,000 or more, requesting them to do the same.

Following due consideration, the Committee directed that the resolution be submitted to all Members of City Council for their **information**.

9. That leave be granted to introduce the following Bills:-

- (a) Bill E-15 - By-law to confirm proceedings of the Council of the Corporation of the City of Hamilton

Respectfully submitted,

JDT:bg
April 5, 1983

Alderman V. J. Agro
Chairman
Legislation Committee

REPORT OF THE PERSONNEL COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its **SIXTH** Report for 1983 and respectfully recommends:-

1. That the position of General Foreman (Cemeteries), Department of Public Works, be reclassified to Salary Schedule 115, \$25,378.60, \$26,522.60, \$27,716.00, \$28,962.96, \$30,266.60 per annum, and that the present incumbent, Mr. J. Monkley, presently paid \$28,150.72 per annum, be paid \$30,266.60 per annum, effective March 7, 1983.
2. (a) That the position of Records Clerk, Salary Schedule E-4, \$301.18, \$311.41, \$324.18 per week, be established in the Inspection Division of the Hamilton Fire Department.
(b) That the position be posted and filled.
(c) That the position of Stenographer IV, Salary Schedule E-2, \$254.56, \$265.51, \$275.73 per week, be deleted from the staff quota of the Inspection Division of the Hamilton Fire Department.
3. That the position of Rents Receivable Clerk, Treasury Department, be reclassified to Salary Schedule A-8, \$377.78, \$398.18, \$415.96, \$436.35, \$459.30 per week, and that the present incumbent, Mrs. I. L. Harris, presently paid \$341.99 per week, be paid \$377.78 per week, effective February 7, 1983.
4. Approval of the Appointments and Terminations in permanent and temporary service with The Corporation to April 6, 1983, as set out on the list appended hereto.
5. That leave be granted to introduce the following bill:
 - (a) F-1 - By-law to Amend Fire Department By-law Number 68-34 respecting Qualifications.

RESPECTFULLY SUBMITTED,

ALDERMAN P. COWELL,
CHAIRMAN

K. E. Avery, Secretary,
April 6, 1983.

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN PERMANENT SERVICE

REFERRED TO IN SECTION 4 OF THE
SIXTH REPORT OF THE PERSONNEL
COMMITTEE.

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mrs. Barbara Bazinet	Assistant Supervisor - Payroll	Treasury	Replacement for Ross Holland - promoted	112	\$21,420.36 per annum	Mar. 14/83
Mr. Thomas Coady	Truck Driver - Labourer (Litter Containers)	Public Works	Replacement for Alfred Pilson - retired	D-7	\$9.410 per hour	Feb. 23/83
Mr. Bruce McCrady	Banquet Manager	Convention Centre	Replacement for Owen Williams - resigned	CC12	\$32,999.72 per annum	Mar. 14/83

April 6, 1983

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Patrick Healy	Maintenance Foreman (Cemeteries)	Cemetery Division of Public Works	retirement	24 years & 2 months	Mar. 31/83
Mr. Charles McHugh	Large Power Grader Operator, Truck Driver and Labourer	Public Works	retirement	21 years & 7 months	Mar. 31/83
Mr. Kenneth Skuse	Firefighter I	Fire	deceased	27 years & 5 months	Mar. 8/83
Mr. Scott R.A. Walker	Assistant General Manager	Convention Centre	resigned	2 years	Mar. 25/83

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. William Baillie	Information Clerk (temp./part-time)	City Clerk's	vacation and sickness relief	B-3	\$7.988 per hour	Apr. 1/83
Mr. Gary Charters	Caretaker (temporary)	Property Maintenance Division of Real Estate	replacement for Jack Wooldridge - retired	B-2	\$304.45 per week	Mar. 14/83
Miss Mary Hammond	Taxation Clerk IV (temporary)	Treasury	replacement for Jacquelyn Settle - promoted	E-4	\$301.18 per week	Mar. 14/83
Miss Sarah Haynes	Red Cross Instructor (temp./part-time)	Culture & Recreation	seasonal staff	n/a	\$4.000 per hour	Sept. 20/82
Miss Margaret Mogford	Cashier (temp./part-time)	Culture & Recreation	replacement for Nancy Eves - resigned	n/a	\$3.750 per hour	Feb. 14./83
Mr. Marco Traficante	Rink Attendant (temporary)	Culture & Recreation	seasonal staff	D-4A	\$9.130 per hour	Mar. 13/83
Mr. Bill Whyte	Rink Attendant (temporary)	Culture & Recreation	seasonal staff	D-4A	\$9.130 per hour	Mar. 12/83

April 6, 1983

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mrs. Karen Grywachewski	Personnel Clerk III (temporary)	Personnel	terminated	5 months	Mar. 18/83
Mr. Michael Lapceovich	Community Sports Organizer (temp./part-time)	Culture & Recreation	resigned	4 months	Feb. 23/83
Mr. Jose Crespo	Cashier (temp./part-time)	Culture & Recreation	terminated	6 months	Mar. 27/83
Miss Robin Dilks	Cashier (temp./part-time)	Culture & Recreation	terminated	5 months	Mar. 27/83
Miss Mary Dowsett	Cashier (temp./part-time)	Culture & Recreation	terminated	6 months	Mar. 27/83
Miss Michele Hathaway	Cashier (temp./part-time)	Culture & Recreation	terminated	5 months	Mar. 27/83
Miss Susan Lindley	Cashier (temp./part-time)	Culture & Recreation	terminated	9 months	Mar. 27/83
Miss Susan Oostwouder	Cashier (temp./part-time)	Culture & Recreation	terminated	6 months	Mar. 27/83
Miss Darlene Rankin	Cashier (temp./part-time)	Culture & Recreation	terminated	9 months	Mar. 27/83
Miss Diane Theroux	Cashier (temp./part-time)	Culture & Recreation	terminated	6 months	Mar. 27/83
Miss Lora Timacco	Cashier (temp./part-time)	Culture & Recreation	terminated	6 months	Mar. 27/83

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Miss Susan Nuttall	Cashier (temp./part-time)	Culture & Recreation	terminated	2 months	Feb. 15/83
Mr. John Arsenault	Checker (temp./part-time)	Culture & Recreation	terminated	6 months	Mar. 27/83
Mr. Paul Baker	Checker (temp./part-time)	Culture & Recreation	terminated	6 months	Mar. 27/83
Mr. William Batrynychuk	Checker (temp./part-time)	Culture & Recreation	terminated	6 months	Mar. 27/83
Mr. Robert Brydson	Checker (temp./part-time)	Culture & Recreation	terminated	2 months	Mar. 27/83
Mr. Ronald Cameron	Checker (temp./part-time)	Culture & Recreation	terminated	6 months	Mar. 27/83
Mr. Brian Colonna	Checker (temp./part-time)	Culture & Recreation	terminated	6 months	Mar. 27/83
Miss Pamela Colthart	Checker (temp./part-time)	Culture & Recreation	terminated	3 months	Mar. 27/83
Mr. Joe DeLorenzi	Checker (temp./part-time)	Culture & Recreation	terminated	6 months	Mar. 27/83
Mr. Joseph Garofalo	Checker (temp./part-time)	Culture & Recreation	terminated	9 months	Mar. 27/83
Miss Kimberly Garland	Checker (temp./part-time)	Culture & Recreation	terminated	6 months	Mar. 27/83
Mr. Ted Golinski	Checker (temp./part-time)	Culture & Recreation	terminated	9 months	Mar. 27/83

April 6, 1983

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Scott Granby	Checker (temp./part-time)	Culture & Recreation	terminated	6 months	Mar. 27/83
Miss Tracy Hartt	Checker (temp./part-time)	Culture & Recreation	terminated	6 months	Mar. 27/83
Mr. Steven Jackson	Checker (temp./part-time)	Culture & Recreation	terminated	3 months	Mar. 27/83
Mr. Glenn Jollimore	Checker (temp./part-time)	Culture & Recreation	terminated	6 months	Mar. 27/83
Mr. Shawn Kelly	Checker (temp./part-time)	Culture & Recreation	terminated	6 months	Mar. 27/83
Mr. James Leach	Checker (temp./part-time)	Culture & Recreation	terminated	3 months	Mar. 27/83
Mr. John Lyle	Checker (temp./part-time)	Culture & Recreation	terminated	6 months	Mar. 27/83
Mr Edward Martin	Checker (temp./part-time)	Culture & Recreation	terminated	6 months	Mar. 27/83
Mr James Pearson	Checker (temp./part-time)	Culture & Recreation	terminated	6 months	Mar. 27/83
Mr. Robert Pew	Checker (temp./part-time)	Culture & Recreation	terminated	5 months	Mar. 27/83
Mr. Robert Pouliot	Checker (temp./part-time)	Culture & Recreation	terminated	6 months	Mar. 27/83
Mr. Paul Staats	Checker (temp./part-time)	Culture & Recreation	terminated	6 months	Mar. 27/83

April 6, 1983

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Emilio Trabucco	Checker (temp./part-time)	Culture & Recreation	terminated	6 months	Mar. 27/83
Miss Maria Troisi	Checker (temp./part-time)	Culture & Recreation	terminated	3 months	Mar. 27/83
Mr. Neil Freckleton	Monitor (temp./part-time)	Culture & Recreation	terminated	1 month	Feb. 15/83
Miss Vivian Medley	Monitor (temp./part-time)	Culture & Recreation	terminated	10 months	Feb. 14/83

April 6, 1983

NOTICES OF MOTION

NOTICE OF MOTION

Alderman Shirley Collins gave notice that she would move the following Notice of Motion at the next regular meeting of Hamilton City Council.

BE IT RESOLVED that the Official Plan be amended to designate the Hamilton Beach as residential rather than open space.

BE IT FURTHER RESOLVED that the City of Hamilton take the appropriate steps to discontinue the acquisition of homes on the Hamilton Beach.

THE CORPORATION OF THE CITY OF HAMILTON APR 7

BY-LAW NO. 83 -

TO WIDEN ELMBANK STREET BY INCORPORATING PART
OF 1' RESERVE, BLOCK "J" PLAN M-279

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to widen a portion of the highway known as Elmbank Street by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Elmbank Street.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 19

City Clerk

Mayor

(1983) 4 R.T.E.C. 7, February 8

SCHEDULE A

All and singular that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Block "J" according to Eleanor Gardens, Phase 3, filed in the Land Titles Division of the Land Registry Office for the Registry Division of Wentworth as Plan M-279 and which said parcel may be more particularly described as follows:

Premising that all bearings herein are astronomic and are referred to the southern limit of Elmbank Street on a course of North $71^{\circ}31'50''$ West as shown on Mentino Estates Phase 2 filed in the said Land Registry Office as Plan 62M-332.

Commencing at the north west angle of Lot 1 according to the said Mentino Estates Phase 2.

Thence South $71^{\circ}31'50''$ East along the said northern limit of Lot 1, thirty-one point six two three metres (31.623 m) more or less to the north east angle thereof.

Thence North $16^{\circ}32'30''$ East along the production of the eastern limit of the said Lot 1, zero point three zero five metres (0.305 m) more or less to the northern limit of the said Block "J".

Thence North $71^{\circ}31'30''$ West along the said northern limit of Block "J", thirty one point six two three metres (31.623 m) more or less to the north east angle of the lands described in City of Hamilton By-law No. 81-255, dated September 8th, 1981, and registered as Inst. No. 112736 L.T.

Thence South $16^{\circ}32'30''$ West along the eastern limit of the said lands described in By-law 81-255, being also the production northerly of the western limit of Lot 1, zero point three zero five metres (0.305 m) more or less to the point of commencement.

The above-described parcel shown in heavy outline and designated as Part 1 on Plan N.S. 2402 Surveys, hereto attached.

103

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 83 -

To Establish an Alleyway, East of
Locke Street, North of York Boulevard

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to establish an alleyway, east of Locke Street, north of York Boulevard, by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation
of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the
City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1979) 1 R.T.E.C. 1, January 9

SCHEDULE "A"

ALL AND SINGULAR those certain parcels or tracts of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Lot 10, according to William Bell Survey, registered in the Land Registry Office for the Registry Division of Wentworth as Plan 284 and part of the alleyway lying immediately to the south of the said Lot 10, also according to William Bell Survey, the said alleyway now closed by Judge's Order, a certificate of which is registered in the said Land Registry Office as Instrument No. 37152 C.D., and which said parcels may be more particularly described as all of Part 2 (being part of Lot 10 and part of the alleyway) and all of Parts 3, 4 and 6 (being part of Lot 10), according to a Reference Plan received and deposited in the said Land Registry Office on February 26th, 1980 as Plan 62R-5248.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 83-

TO RECONSTRUCT A PORTION OF EAST 5TH STREET
AND CERTAIN OTHER STREETS

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302, to alter, establish and lay out any highway or part of a highway under its jurisdiction;

AND WHEREAS it is necessary to reconstruct a portion of East 5th Street and certain other streets as set out in Schedule "A" herein;

AND WHEREAS the Council of The Corporation of the City of Hamilton, at its meeting held on the 8th day of February, 1983, authorized the 1983 Reconstruction Programme;

AND WHEREAS Notice of this By-law has been published as required by Section 301 of the said The Municipal Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton through its Transport and Environment Committee, has heard all persons who applied to be heard, whether in objection to, or in support of this by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The reconstruction of those streets set out herein in Schedule "A" be proceeded with.
2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to sign all documents and do all things necessary to implement these works.
3. This By-law comes into effect on the date of its passing.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 4 R.F.C. 5, February 8

(1983) 4 R.T.E.C. 10, February 8

By-law No. 83 -

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:-

Traffic

1. Schedule 10 (Stops at Intersections) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March 1966, is hereby amended by adding thereto the following item, namely:-

"Stacey Westbound Columbia".

2. Schedule 12 (One-Way Streets) is hereby amended by deleting therefrom the following item, namely:-

"Merrick (Southerly Branch) Westerly James 185' west of James".

3. Schedule 29 (No Stopping Areas) is hereby amended by adding to Section A (No Stopping Anytime) the following item, namely:-

"Hughson West King William to a point 202 feet northerly therefrom

York (South Branch) South James to north branch of York".

4. Schedule 30 (Commercial Loading Zones) is hereby amended by deleting therefrom the following item, namely:-

"King William North 62 ft. 75 ft. east of James Anytime".

and by adding thereto the following items, namely:-

"King William North 59 feet 50 feet east of James Anytime".

King William North 30 feet 32 feet west of Hughson Anytime".

5. Schedule 31 (School Bus Loading Zones) is hereby amended by adding thereto the following item, namely:-

"Barnesdale West 165 feet commencing at a point 30 feet south of Barton 7:00 A.M. - 6:00 P.M., Monday to Saturday".

PASSED this day of , A.D. 1983.

City Clerk

Mayor

(1983) 7 R.T.E.C., March 29

By-law No. 83 -

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 24 (Parking Meter Locations) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March 1966, is hereby amended by adding to Section 2 (Two Hour Limit) the following items, namely:-

"Britannia	North	Parkdale to a point 105 feet westerly therefrom
Britannia	North	Parkdale to a point 107 feet easterly therefrom
Britannia	South	Parkdale to a point 124 feet westerly therefrom".

2. Schedule 25A (Parking Time Limits) is hereby amended by deleting from Section 9 (Three Hour Limit) the following item, namely:-

"Gertrude	Both	Gage to Depew".
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and by adding thereto the following item, namely:-

"Gertrude	North	Avondale to Depew".
-----------	-------	---------------------

3. Schedule 26 (No Parking Areas) is hereby amended:

(a) by deleting from Section A (No Parking Anytime) the following item, namely:-

"Park	East	commencing 80 feet south of Robinson to 120 feet south of Robinson".
-------	------	----------------------------------------------------------------------

(b) by adding thereto the following sub-section:

"H. No Parking 8:00 A.M. - 6:00 P.M.
Except as varied by Schedules 26(A) and 29.

<u>STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Park	East	commencing at a point 101 feet south of Robinson to a point 40 feet southerly therefrom".

4. Schedule 26A (No Parking Areas) is hereby amended by adding to Section F (No Parking 8:00 A.M. - 4:00 P.M.) the following item, namely:-

"Gibson	East	commencing at a point 74 feet south of Cannon to a point 58 feet southerly therefrom".
---------	------	----------------------------------------------------------------------------------------

5. Schedule 28 (Taxi Stands) is hereby amended by deleting therefrom the following item, namely:-

"King William	North	25 ft. 50 ft. east of James".
---------------	-------	----------------------------------------------------

PASSED this day of , A.D. 1983.

City Clerk

Mayor

(1983) 7 R.T.E.C., March 29

The Corporation of the City of Hamilton

BY-LAW NO. 83-

TO FIX THE RATES OF TAXATION
FOR MUNICIPAL PURPOSES FOR THE YEAR 1983

WHEREAS it is necessary that the Estimates, as prepared by the Finance Committee for the year 1983 which set forth the revenues of The Corporation of the City of Hamilton, and the expenditures of The Corporation of the City of Hamilton,

- (a) for municipal, and
- (b) necessary for the purposes of any duly constituted board, commission or other body of The Corporation of the City of Hamilton

be approved, and

WHEREAS it is necessary to impose rates of taxation for the year 1983,

- (a) for municipal purposes, and
- (b) for the purpose of any duly constituted board, commission or other body of The Corporation of the City of Hamilton.

THEREFORE, the Council of The Corporation of the City of Hamilton enacts as follows:

1. The estimates,

- (a) of the revenues
- (b) of the expenditures,

of The Corporation of the City of Hamilton for the year 1983 as prepared by the Finance Committee, are hereby approved.

2. That there shall be levied and raised on the whole of the rateable property of The Corporation of the City of Hamilton in the amount of \$875,243,293, of which \$494,786,439 is Residential assessment and \$380,456,854 is Non-residential assessment, the following rates of taxation,

(a) for general municipal purposes 56.2549 mills producing	\$ 49,236,690.00
(b) for the payment of debenture principal and interest of the general municipal fund 8.3503 mills producing	7,308,550.00
(c) for the purposes of the Public Library Board 9.2681 mills producing	<u>8,111,850.00</u>
	\$ 64,657,090.00

3. The amount to be levied and raised against "residential" assessments in the amount of \$494,786,439.00 determined as required by The Municipal Act shall be reduced by \$5,482,730.00 or 11.0810 mills in accordance with Section 7(3) of The Ontario Unconditional Grants Act 1975

5,482,730.00
\$ 59,174,360.00

4. The rate to be levied against "residential" assessments determined as required by The Municipal Act for Municipal purposes is 62.7923 mills on the dollar.
5. The rate to be levied against "non-residential" assessments determined as required by The Municipal Act for Municipal purposes is 73.8733 mills on the dollar.
6. This by-law comes into force on the date on which it is enacted by the Council of The Corporation of the City of Hamilton.

PASSED this 29th day of March A.D., 1983.

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 200 and 202 GIBSON AVENUE

WHEREAS the Ontario Municipal Board by Decision dated the 24th day of December, 1982, (File No. R 811304) provided as follows:

"The Board's decision then will be that the Council of the City of Hamilton pass a by-law amending By-law No. 6593 to permit the use of the shed on the lands known as 202 Gibson Avenue for storage, as long as it is used for storage in connection with the operation of an industrial use in the neighbouring building at 200 Gibson, and to permit the connection of that building to the neighbouring building, notwithstanding the setbacks of the residential zone in which the building would continue to be established, and for the use of the lands between the shed and the laneway for the parking of commercial vehicles as long as the land is used as ancillary to the operation of the industrial use at 200 Gibson Avenue.

We assume that this by-law can be formulated by the solicitors involved and forwarded to the Board for consideration before it is passed by the City of Hamilton. The Board will then order that such by-law be approved when passed in the form in which it is forwarded to the Board, previously approved by the solicitors for the city and the applicant."

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district provisions applicable to the land at No. 202 Gibson Avenue, and the "H" (Community Shopping and Commercial, etc.) district provisions applicable to the land at No. 200 Gibson Avenue, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirements that,

- (a) the shed situate on the land shown as Part 1 on schedule "A" may be used for storage in connection with the operation of the bakery located in the neighbouring building at 200 Gibson Avenue and shown as Part 2 on schedule "A"; and

(b) notwithstanding the area requirements of section 10 and section 14 of By-law No. 6593, the land comprised in Part 3 shown on schedule "A", may be used to connect the shed situate on Part 1 with the industrial building located on Part 2;

(c) the land comprised in Part 4 shown on schedule "A", being located between the shed and the laneway, may be used for the parking of commercial vehicles as long as the land comprised in Part 1 is used ancillary to the operation of the industrial bakery use at No. 200 Gibson Avenue.

2. By-law No. 6593 is amended by adding this by-law to section 19B as "S-813".

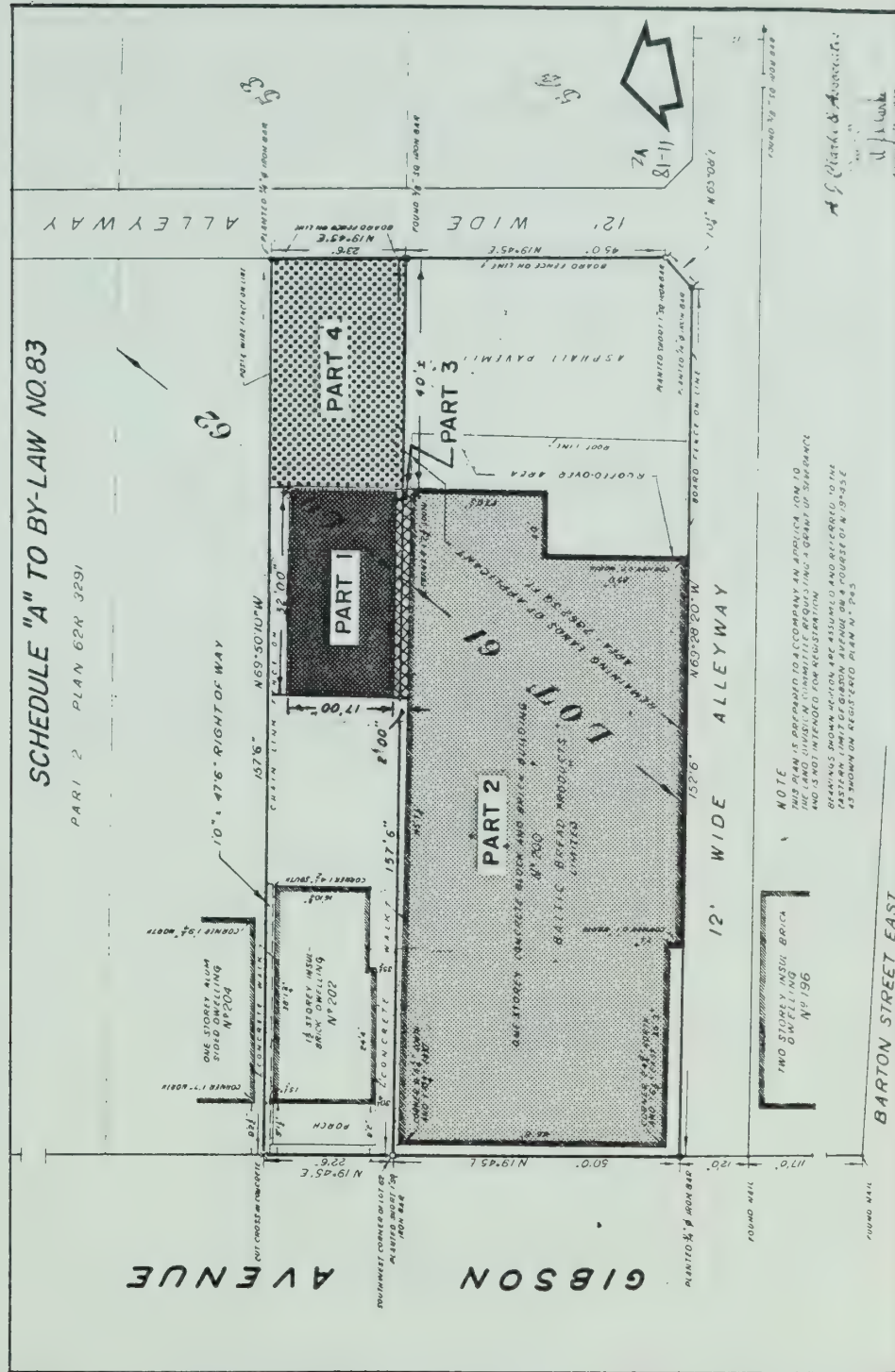
3. Sheet No. E-21 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-813".

PASSED this day of A.D. 1983.

City Clerk

Mayor

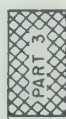
(1981) 17 R.P.D.C. 2, June 23
ZA-81-11
O.M.B. Decision dated
December 24, 1982
(File No. R 811304)



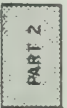
LEGEND



Location of storage shed (No. 202 Gibson Ave.)



Connecting land between storage shed and bakery



Location of bakery building (No. 200 Gibson Ave.)



Location of commercial parking (ancillary to the bakery use)

This is Schedule "A" to By-law No. 83- passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 81-346

Respecting:

LAND LOCATED AT THE SOUTH-EAST CORNER OF ROBINSON AND PARK STREETS

WHEREAS By-law No. 81-346, passed on the 8th day of December, 1981, rezoned the land comprised in Block 1 shown on schedule "A", on which is situate the Royal Hamilton Military Institute, from "E" (Multiple Dwellings, Lodges, Clubs, etc.) district to "C" (Urban Protected Residential, etc.) district;

AND WHEREAS Block 2, adjacent to the east of Block 1, is zoned "E" (Multiple Dwellings, Lodges, Clubs, etc.) district and the said by-law provided for special requirements for Block 2 permitting a height of a proposed building thereon of 11 storeys, providing that no side yard is required along the westerly zoning line and that the floor area shall not exceed 4,298 square metres;

AND WHEREAS the Ontario Municipal Board in its Decision dated the 20th day of September, 1982 provided that the following requirements must be met before an order will issue:

1. A 15-foot side yard between the west wall of the proposed apartment building and the west limit of Block 2 as presently described; and
2. A site plan has been duly approved for the proposed apartment building pursuant to section 40 of The Planning Act and By-law No. 79-275 (the site plan control by-law) containing no more than 21 units and provided for a minimum of 21 off-street parking spaces; and
3. A by-law containing the same provisions as By-law No. 81-346 and the additional requirement set out in paragraph 1, above.

AND WHEREAS it is desirable to amend By-law No. 81-346 so as to give effect in the amending by-law herein to the Ontario Municipal Board's requirements as to the 15-foot side yard referred to in paragraph 1, above and also to provide herein for the maximum number of units and minimum number of parking spaces referred to in paragraph 2, above, in addition to the Ontario Municipal Board's requirement for a site plan as aforementioned.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (1) Clause (e) of section 2 of By-law No. 81-346 is repealed and the following substituted therefor:

- (e) as to Block 2, notwithstanding section 11(3)(ii)(b) of By-law No. 6593, a side yard shall be provided and maintained
 - (i) between the west wall of the proposed multiple dwelling and the west limit of Block 2 having a width of at least 4.57 metres; and
 - (ii) between the east wall of the proposed multiple dwelling and the east limit of Block 2, having a width of at least 6.25 metres.

(2) Clause (f) of section 2 of By-law No. 81-346 is amended by adding at the end thereof "and the proposed multiple dwelling shall not contain more than 21 dwelling units."

2. Section 2 of By-law No. 81-346 is amended by adding the following clause thereto:

- (g) as to Block 2, notwithstanding section 18(3)(iva) of By-law No. 6593, or any successor thereto, not less than 21 off-street parking spaces shall be provided and maintained on the site.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-776a".

4. Sheet No. W-5 of the District Maps is amended by marking the land referred to as Block 2, as "S-776a".

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1981) 25 R.P.D.C. 1, November 10
(1983) 2 R.P.D.C. 8, January 11
J. Finocchio, Prospective Owner
ZA-81-37

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1591 UPPER JAMES STREET

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "HH" (Restricted Community Shopping and Commercial) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following special requirement that,

(a) notwithstanding the provisions of section 14A(1) of By-law No. 6593, the following,

(i) ACCESSORY COMMERCIAL USE to the existing car sales agency shall be permitted:

1. An auto body, fender repair and paint shop having an area not exceeding 335 square metres and located within the existing building at No. 1591 Upper James Street.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-814".

4. Sheet No. E-9D of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-814".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

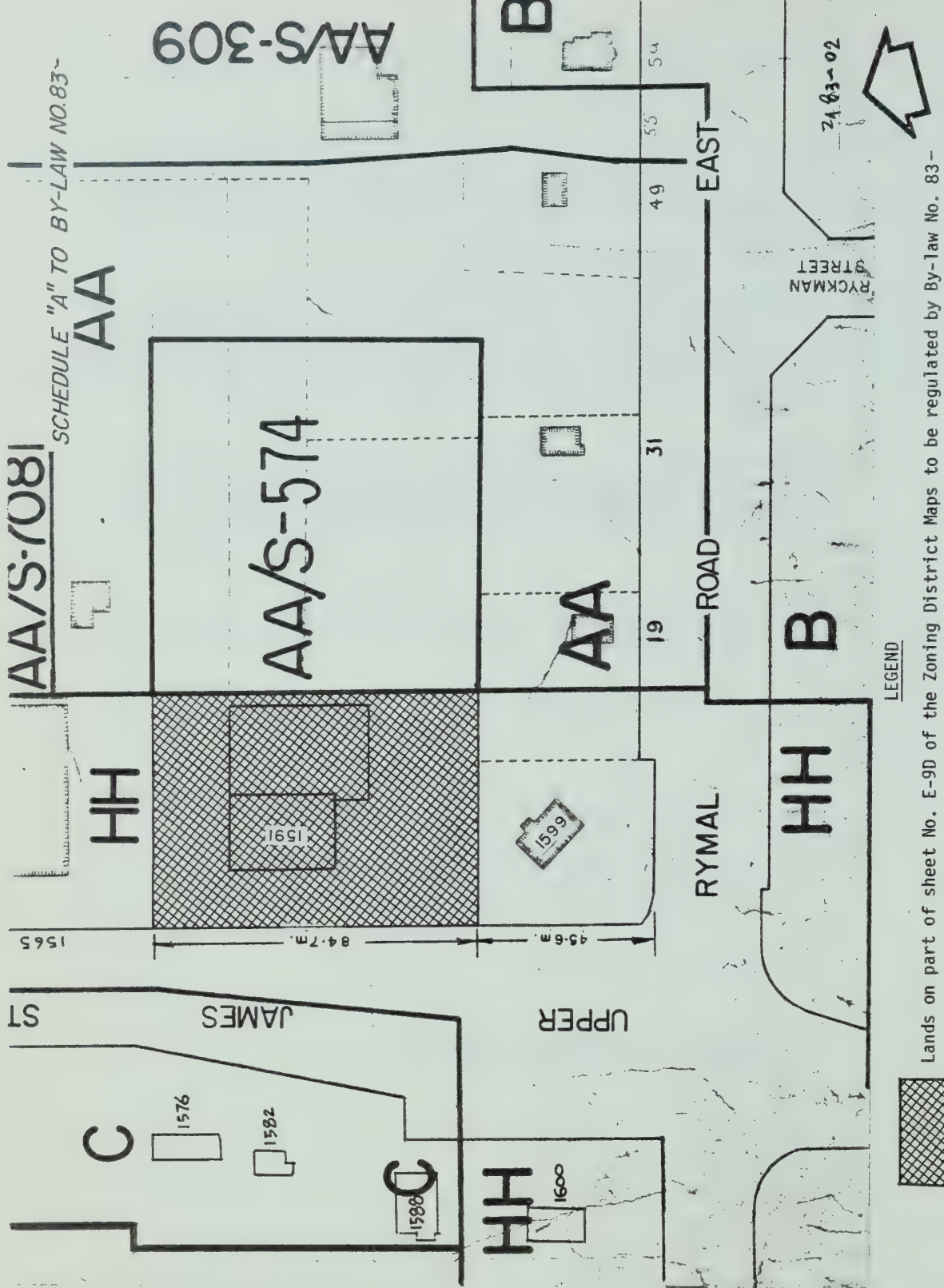
6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 5 R.P.D.C. 1, February 22
Nethercott Chevrolet Oldsmobile Ltd., Owner
ZA-83-02



This is Schedule "A" to By-law No. 83- passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

AA/S-1081

SCHEDULE "A" TO BY-LAW NO.83-

AA

AA/S-309

B

AA

49 55 54

EAST

31

19

ROAD

RYMAL

B

HH

LEGEND

Lands on part of sheet No. E-9D of the Zoning District Maps to be regulated by By-law No. 83-

The Corporation of the City of Hamilton

BY-LAW NO. 83

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 265 BOWMAN STREET AND
LANDS AT THE REAR OF NOS. 269 to 275 BOWMAN STREET

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "C" (Urban Protected Residential, etc.) district provisions applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following special requirement that,

(a) notwithstanding the provisions of section 9(4) of By-law No. 6593, a lot width of at least 6.0 metres shall be permitted.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-815".

4. Sheet No. W-42 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-815".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

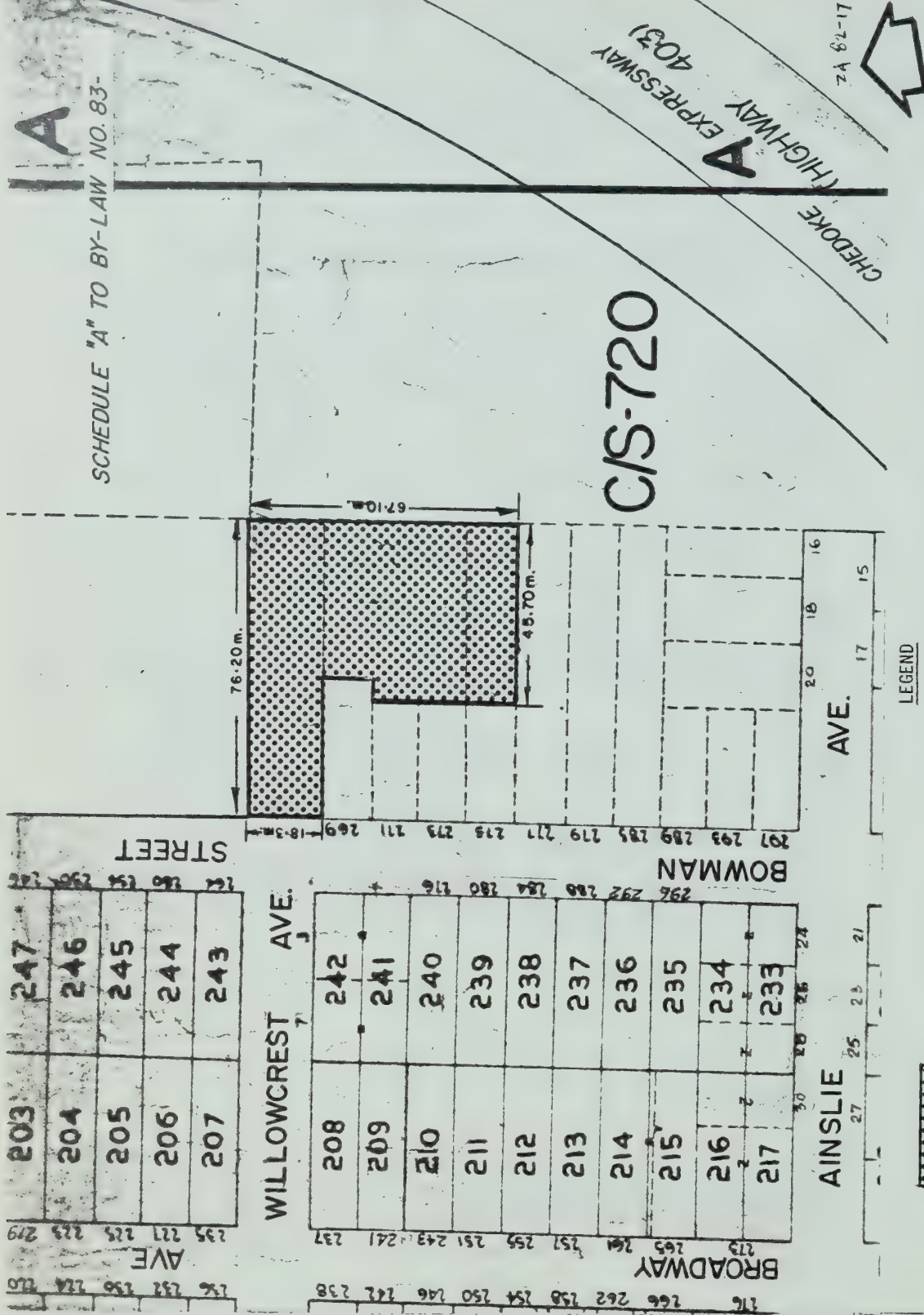
6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 5 R.P.D.C. 2, February 22
Kris Steinbergs, Owner
ZA-82-17



Lands on part of sheet No. W-42 of the Zoning District Maps to be regulated by By-law No. 83 -

This is Schedule "A" to By-law No. 83- passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NO. 265 BOWMAN STREET AND
LANDS AT THE REAR OF NOS. 269 to 275 BOWMAN STREET

WHEREAS By-law No. 79-275, passed on the 25th day of September, 1979, under section 35a of The Planning Act, as re-enacted by The Planning Amendment Act, 1979, S.O. 1979, Chapter 59, section 1, (now section 40 of The Planning Act, R.S.O. 1980, Chapter 379), established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land herein-after referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

59. Land Located at Municipal No. 265 Bowman Street and lands at the rear of Nos. 269 to 275 Bowman Street, shown on Appendix 59 hereto annexed and forming part of this by-law.

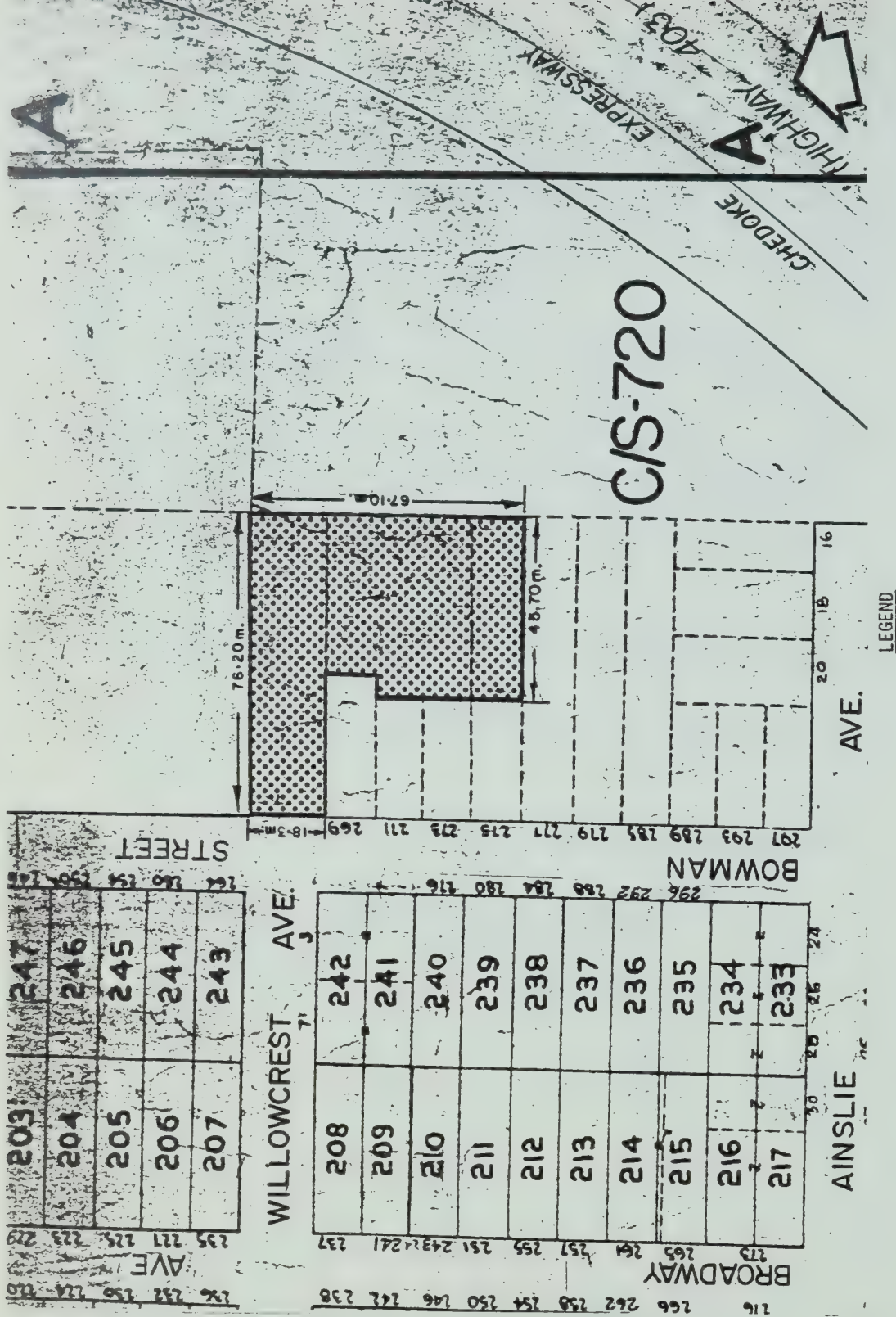
2. Schedule "A" is annexed hereto and forms part of this by-law and By-law No. 79-275, as Appendix 59.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 5 R.P.D.C. 2(e), February 22
Kris Steinbergs, Owner
ZA-82-17



Lands on part of Sheet No. W-42 of the Zoning District maps forming part of By-law No. 6593 designated as an area of Site Plan Control pursuant to Section 35a of The Planning Act.

Appendix 59 to By-law No. 79-275.

Bill No. D-52

This is Schedule "A" to By-law No. 63- passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Authorize:

REPAIR OF THE FRONT STEPS AND CHIMNEY
FOR THE BUILDING LOCATED AT

MUNICIPAL NO. 23 DALKEITH AVENUE

WHEREAS subsection 4 of section 10 of The Ontario Building Code Act, R.S.O. 1980, Chapter 51 provides as follows:

(4) Where the chief official has made an order under subsection (2) and considers it necessary for the safety of the public, he may cause the building to be renovated, repaired or demolished for the purpose of removing the unsafe condition or take such other action as he considers necessary for the protection of the public and, where the building is in a municipality, the cost of the renovation, repair, demolition or other action may be added by the clerk to the collector's roll and collected in like manner as municipal taxes.

AND WHEREAS the chief official has made orders to comply in accordance with subsection 2 of section 10 of the said Act;

AND WHEREAS the chief official considers it necessary for the safety of the public to cause the front steps to be rebuilt and the chimney to be rebuilt of the building for the purpose of removing the unsafe condition;

AND WHEREAS it is desirable to authorize the chief official to proceed to cause the front steps to be rebuilt and the chimney to be rebuilt.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The chief official, being the Building Commissioner, is hereby authorized to proceed to repair the front steps and the chimney for the building more particularly described in schedule "A" hereto annexed, to be repaired.

2. The City Clerk is hereby authorized to proceed to add the cost of the repairs referred to in section 1 to the collector's roll and the cost so added shall be collected in like manner as municipal taxes.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 6 R.P.D.C. 16, March 8

SCHEDULE "A"

To By-law No. 83-

Municipal Address: 23 Dalkeith Avenue, Hamilton

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Hamilton, and being composed of lot number one hundred and sixty (160), according to the Plan of Beaver Park Survey, registered as Plan Number 562, and being number 23 Dalkeith Avenue.

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Appoint:

PERSONS TO THE HAMILTON HYDRO-ELECTRIC COMMISSION
AND THE CANADIAN FOOTBALL HALL OF FAME

WHEREAS By-law No. 83-73, passed on the 22nd day of February, 1983, is a comprehensive appointments By-law appointing various persons previously nominated by Council to various boards and committees;

AND WHEREAS the said By-law appointed three members of Council to the Canadian Football Hall of Fame;

AND WHEREAS the said By-law does not contain any appointments to the Hamilton Hydro-Electric Commission;

AND WHEREAS it is desirable to include in the said By-law a non-Council member to the Canadian Football Hall of Fame, as approved by City Council in adopting section 2 of the 6th Report of the Nominating Committee on March 8, 1983;

AND WHEREAS it is also desirable to amend the said By-law to provide for the appointment of a non-Council member to the Hamilton Hydro-Electric Commission, as approved by City Council in adopting section 1 of the 6th Report of the Nominating Committee on March 8, 1983.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 83-73 is amended by adding the following to the preamble:

AND WHEREAS section 107(2) of The Power Corporation Act, R.S.O. 1980, Chapter 384 provides that the Hydro-Electric Commission of the City of Hamilton may consist of three members, one of whom shall be the mayor of the city, one of whom shall be appointed by the municipal council of the city for two years and until his successor is appointed, and the third of whom shall be appointed by Ontario Hydro for two years and until his successor is appointed.

2. Subsection 6 of section 1 of By-law No. 83-73 is amended by adding thereto the following paragraph:

4. G. Barrett.

3. Section 1 of the said By-law is amended by adding thereto the following subsection:

(14) The following person is appointed to membership in the Hydro-Electric Commission of the City of Hamilton, for a term ending November 30, 1984:

1. Kenneth M. Edge.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 6 R.N.C. 1,2, March 8

BY-LAW NO. 83 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF
HAMILTON AT ITS MEETING HELD ON THE 29th DAY OF March,
A.D., 1983.

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the
Revised Statutes of Ontario, 1980, the powers of a municipal corporation
are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act,
being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of
every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council
of The Corporation of The City of Hamilton at this meeting be confirmed
and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton
enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton
in respect to each recommendation contained in the Reports of the
Committees and of the local Boards and Commissions and each motion and
resolution passed and other action taken by the Council of The
Corporation of the City of Hamilton at this meeting is hereby adopted
and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of
Hamilton are hereby authorized and directed to do all things necessary
to give effect to the action of the Council of The Corporation of the
City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the
City Clerk, or in the absence of the City Clerk, the Deputy City Clerk,
are authorized and directed to execute all documents necessary in that
behalf and to affix thereto the seal of The Corporation of the City of
Hamilton.

PASSED this day of March, A.D., 1983.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 83-

Respecting:

TRANSIENT VENDORS

WHEREAS Schedule 22 of By-law No. 79-323, passed on the 27th day of November, 1979 under The Municipal Act, R.S.O. 1970, Chapter 284, section 383, paragraphs 16 and 17, (now R.S.O. 1980, Chapter 302, section 232, paragraphs 16 and 17)), provided for the licensing, regulating and governing of transient traders and other persons and the fixing of a fee for a licence;

AND WHEREAS it is desirable to replace Schedule 22.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule 22 of By-law No. 79-323 is repealed and the following substituted in lieu thereof:

SCHEDULE 22

TRANSIENT VENDORS

1. In this schedule,
 - (a) "trade" means trade, licence, calling or occupation;
 - (b) "transient vendor" means a transient trader and every other person,
 - (i) whose name has not been entered on the assessment roll in respect of business assessment for the current year, and who offers goods, wares or merchandise for sale by auction, conducted by himself or by a licensed auctioneer or otherwise, or who offers items for sale in any other manner; or
 - (ii) who after the return of the assessment roll commences to carry on business in the premises in respect of which he is liable to business assessment.
2. Every transient vendor shall take out a licence authorizing the transient vendor to carry on or engage in his or her trade.
3. No transient vendor shall commence to trade until a licence has been issued or has been renewed or transferred.
4. Every applicant for a licence or a renewal thereof shall make the application in person and not by an agent or representative.
5. Every transient vendor shall pay a licence fee before commencing to trade.

6. No licence shall be issued where the fee has not been paid in full at the time of making the application.

2. Every transient vendor shall comply with the following regulations:

1. Provide the Licensing Committee with the following information before commencing the sale of any goods, wares or merchandise, and at any time thereafter upon oral or written request of the Issuer of Licences:
 - (i) Name and address of his permanent place of residence;
 - (ii) Name and address of any other permanent or temporary place from which he conducts his business or part thereof or which serves as a business address;
 - (iii) Whether any goods, wares or merchandise or any part or class of them offered for sale or to be sold was at any previous time offered for sale or sold in the city or any other place and the locations or addresses of such previous offers or sales and a description of the circumstances of such offers for sales or sales;
 - (iv) A description of the class or classes of goods, wares or merchandise offered for sale and where and from whom acquired for the purpose of sale;
 - (v) Names and addresses of all persons employed or associated with him or otherwise acting for or on his behalf in any offer for sale or sale of goods, wares or merchandise;
 - (vi) Description in detail of the manner, method or technique proposed to be used by him and by any person mentioned in clause (e) of regulation 2 to be used in any offer for sale and selling the goods, wares or merchandise.
2. Provide the Licensing Committee upon oral or written request of the Issuer of Licences or the Chief Licence Inspector, after commencing sale of any goods, wares or merchandise, with a Statutory Declaration declaring as to,
 - (a) the classes of goods sold;
 - (b) the manner, method or techniques of offer for sale or sales used by him;
 - (c) the date of commencement of any sale and the closing date of the sale;
 - (d) the location at which the offers for sale were made and the places at that location where the sales took place;

- (e) the names and addresses of each person engaged in the offering for sale or the sale;
- (f) description and percentage of the goods, wares or merchandise sold and unsold.

3. The licence fee required to be paid in accordance with subsection 5, shall be as follows:

- 1. Transient Vendor to which paragraph 2 does not apply. \$500.00
- 2. Transient Vendor who is a farmer resident in Ontario offering for sale produce of his own farm. \$ 5.00

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 9 R.L.C. 4, March 29

APR 8 1983

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 740 UPPER OTTAWA STREET

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "C" (Urban Protected Residential, etc.) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirement that,

1. Notwithstanding section 9(1) of By-law No. 6593, the two-family dwelling existing on the date of the passing of this by-law, shall be permitted.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-817".

4. Sheet No. E-48 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-817".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 6 R.P.D.C. 2, March 8
K.B. Cameron and M.E. Cameron, Owners
ZA-82-51

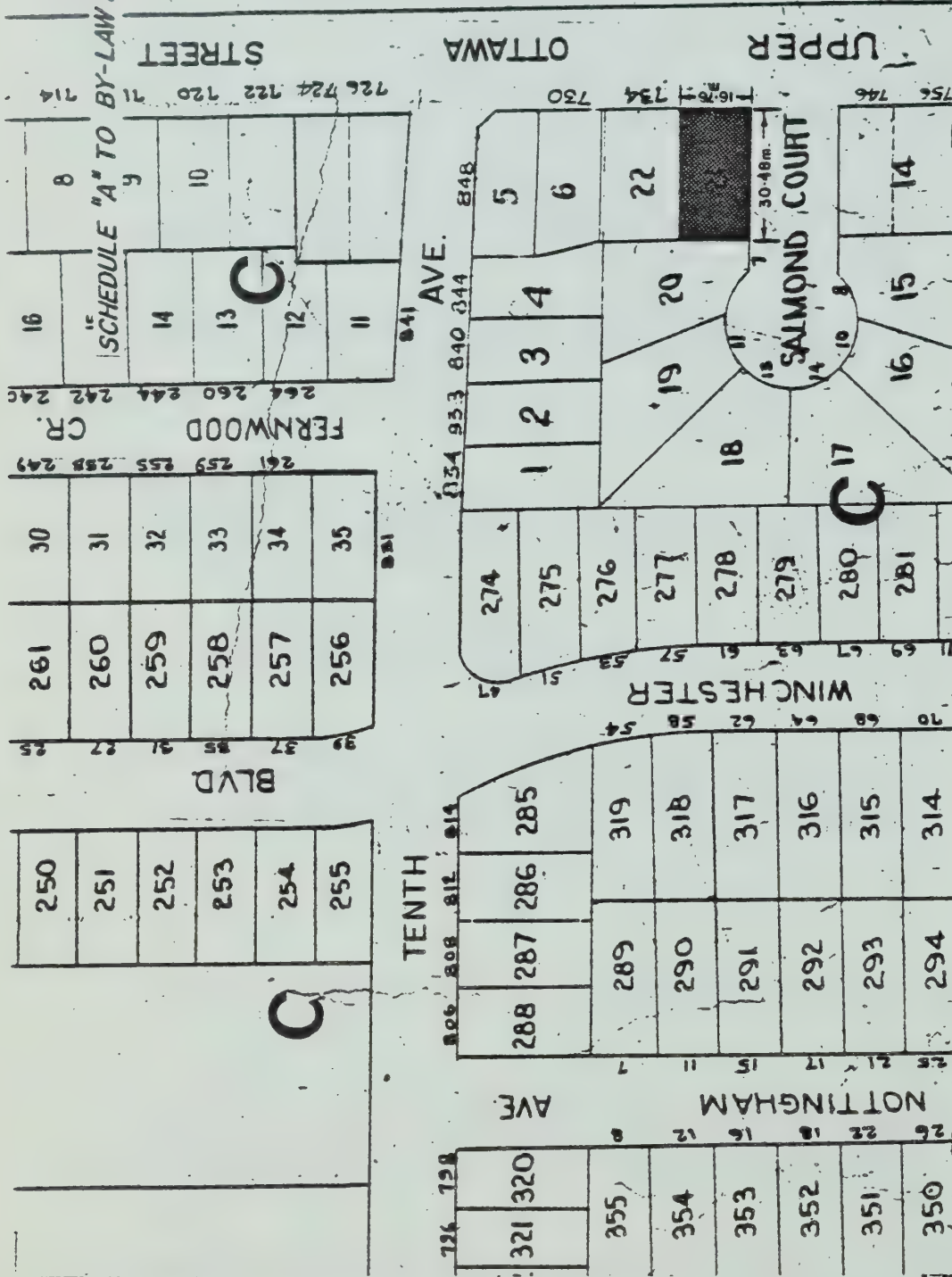
This is Schedule "A" to By-law No. 83- passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

Bill No.



LEGEND

Lands on part of Sheet No. E-48 of the Zoning District Maps to be regulated by By-law No. 83-

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law NO. 6593

Respecting:

LAND LOCATED SOUTH OF STONE CHURCH ROAD EAST,
IN THE AREA EAST OF LEAWAY DRIVE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821), as amended by By-law No. 80-062, passed on the 26th day of February, 1980 and approved by the Ontario Municipal Board by Order dated the 28th day of April, 1980, (File No. R 80971);

AND WHEREAS By-law No. 80-062 rezoned the land shown on Schedule "A" thereto and hereinafter referred to as "Block 2" from "RT-20" (Townhouse - Maisonette) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, subject to special requirements;

AND WHEREAS Block 1, hereinafter referred to, abuts the westerly zoning boundary of Block 2 and it is intended to develop Block 1 in conjunction with Block 2 to permit small lot single family detached dwellings;

AND WHEREAS Block 3 abuts the easterly zoning boundary of land zoned "C" (Urban Protected Residential, etc.) district and it is intended to develop Block 3 in conjunction with the land to the west to permit single family development;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-38C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "RT-20" (Townhouse - Maisonette) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land comprised in Block 1, and
- (b) by changing from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Block 3,

the extent and boundaries of each of which Blocks 1 and 3 are shown on a plan hereto annexed as schedule "A".

2. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district provisions applicable to the lands referred to in section 1 are amended to the extent only of the special requirement that,

(a) as to Block 1, section 2 of By-law No. 80-062 shall apply.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land comprised in Block 1 be used, except in accordance with the "D" District provisions subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-692a".

5. Sheet No. E-38C of the District Maps is amended by marking the lands referred to in section 1(a) of this by-law, "S-692a".

6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

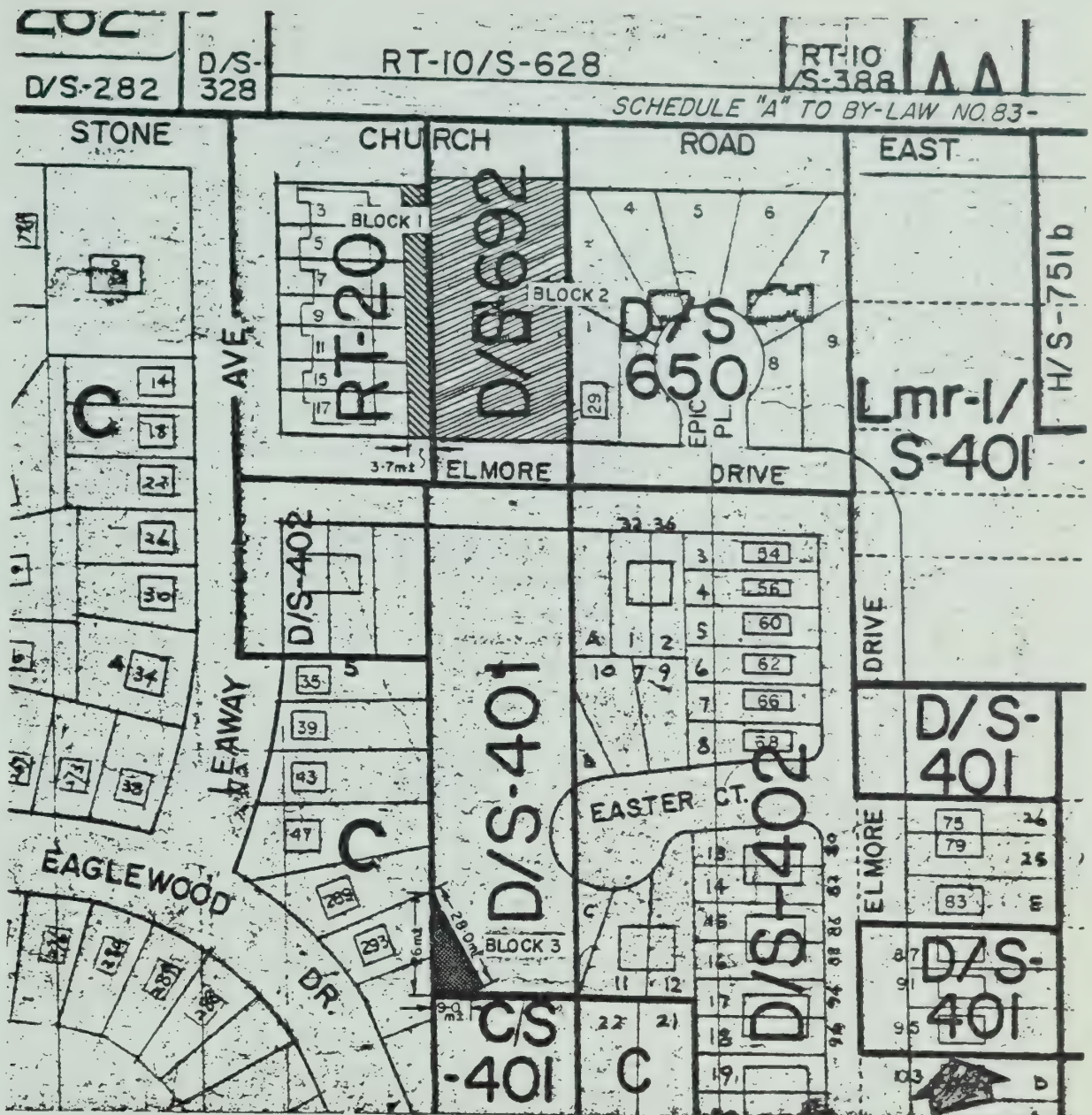
7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this day of A.D. 1983.




City Clerk

Mayor

(1983) 6 R.P.D.C. 6, March 8
A. and A. Cocco, Prospective Owners
ZA-82-59



LEGEND

-  BLOCK 1 Lands on part of Sheet No. E38C of the Zoning District Maps to be re-zoned from "RT-20" (Townhouse and Maisonette) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District.
-  BLOCK 2 Lands to be regulated by By-law No. 83-
-  BLOCK 3 Lands on part of Sheet No. E-38C of the Zoning District Maps to be re-zoned from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "C" (Urban Protected Residential, etc.) District.

Bill No.

This is Schedule "A" to By-law No. 83- passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED TO THE NORTH OF QUEENSTON ROAD
AND TO THE WEST OF GRAYS ROAD

WHEREAS it is intended to change the zoning of the
land hereinafter referred to;

AND WHEREAS this by-law is in conformity with the
Official Plan of the Hamilton Planning Area, approved by the
Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the
City of Hamilton enacts as follows:

1. Sheet No. E-124 of the District Maps, appended to
and forming part of By-law No. 6593, passed on the 25th day
of July, 1950 and approved by the Ontario Municipal Board
by Order dated the 7th day of December, 1951, (File No.
P.F.C. 3821), is amended,

- (a) by changing from "AA" (Agricultural)
district to "C" (Urban Protected
Residential, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto
annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to
proceed as soon as possible with the giving of notice of the
passing of this by-law, including a brief explanation of its
purpose, and with the carrying out of all other directions of
the Ontario Municipal Board relating to the giving of such
notice.

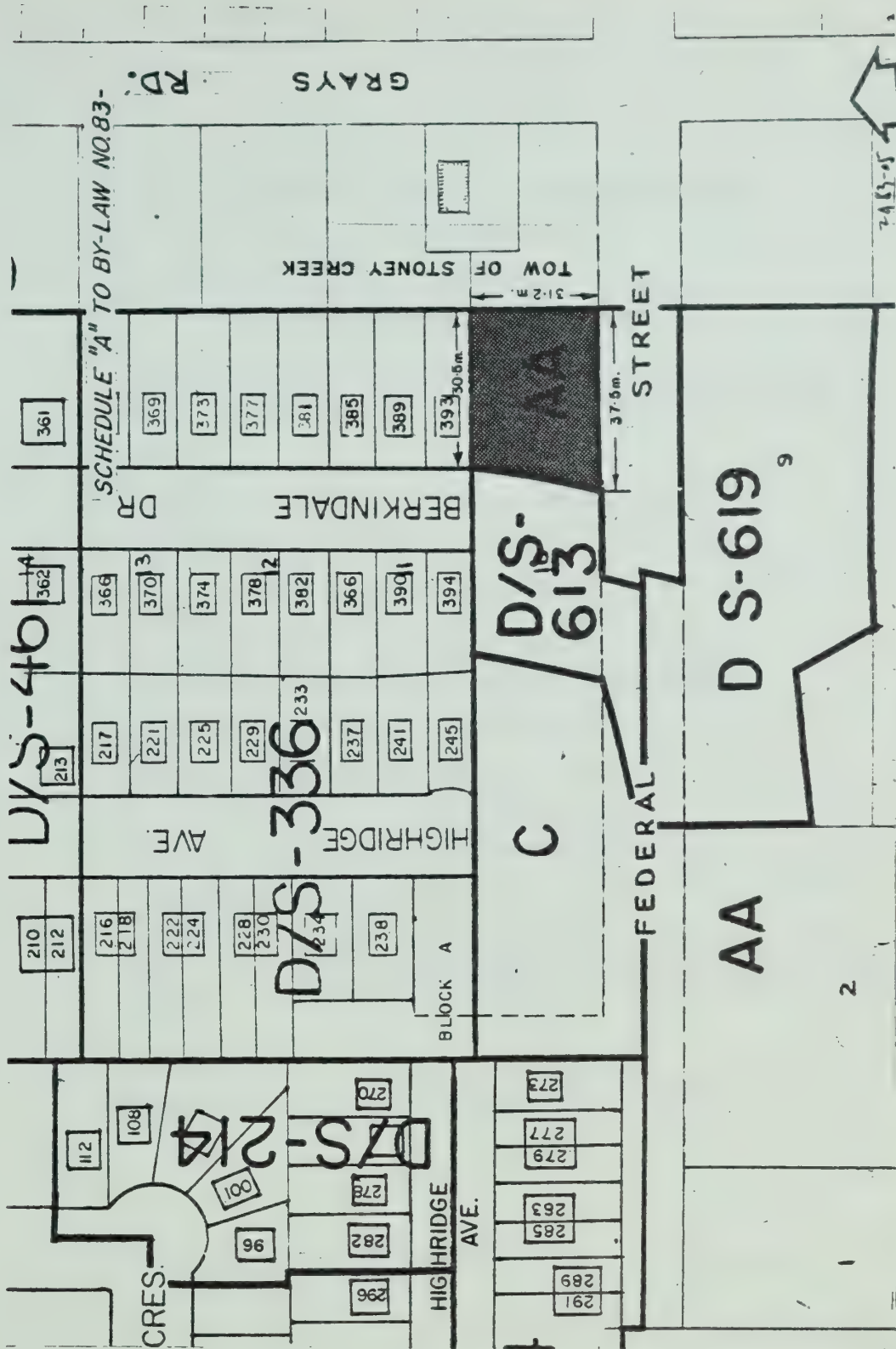
3. The City Solicitor is hereby authorized and directed
to make application to the Ontario Municipal Board for the
necessary approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 6 R.P.D.C. 7, March 8
E. Catania, O. Maiuri, E. Catania
and A. Giannattasio, Owners
ZA-83-05



This is Schedule "A" to By-law No. 83- passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Adopt:

Official Plan Amendment No. 2

Respecting:

LAND LOCATED AT MUNICIPAL NO. 587 JAMES STREET NORTH

The Council of The Corporation of the City of
Hamilton enacts as follows:

1. Amendment No. 2 to the Official Plan of the
Hamilton Planning Area consisting of Schedule 1, hereto
annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such
approval of the Official Plan Amendment referred to in
section 1 above, as may be requisite, be obtained and for
the doing of all things for the purpose thereof.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 6 R.P.D.C. 3, March 8
Petro-Canada Enterprises Inc., Owner
ZA-82-52

AMENDMENT NO. 2 TO THE CITY OF HAMILTON OFFICIAL PLAN

The following text, together with the attached Schedule "A" hereto, constitute Amendment No. 2.

PURPOSE

To delete a "Residential" designation and substitute a "Commercial" designation for those lands shown on the attached Schedule "A".

LOCATION

The subject lands are located at the south-west corner of James Street North and Burlington Street, known municipally as 587 James Street North in the North End West Neighbourhood.

BASIS

The subject lands have been used as a service station since 1955 and are designated "Commercial" in the North End West Neighbourhood Plan. On this basis, it is considered appropriate to redesignate the subject land for "Commercial" uses.

ACTUAL CHANGE

Schedule "A" of the Official Plan (Land Use Concept) be amended by redesignating the subject lands from "Residential" to "Commercial" as shown in red on the attached Schedule "A" to this Amendment.

IMPLEMENTATION

A restricted area by-law will give effect to the intended use of the subject lands.

Bill No. D-57

This is Schedule 1 to By-law No. 83- , passed on the day of
 , 1983.

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

schedule A amendment no. 2

to the
official plan
for the
city of hamilton

legend

areas to be changed from
residential to commercial

date
march 1983

drawn by
P.E.

reference file no.
550 022

land use concept

legend

residential
commercial
industrial
open space
open water
major institutional
utilities
central policy area
special policy area
environmental
per numbers
sub regional centre
schedule A
to the official plan
for
the city of hamilton

DEFERRED NO. D-1
UNDER SECTION 14(3) OF
THE PLANNING ACT

DEFERRED NO. D-2
UNDER SECTION 14(3) OF
THE PLANNING ACT

DEFERRED NO. D-5
UNDER SECTION 14(3) OF
THE PLANNING ACT

DEFERRED NO. D-2
UNDER SECTION 14(3) OF
THE PLANNING ACT

DEFERRED NO. D-2
UNDER SECTION 14(3) OF
THE PLANNING ACT

DEFERRED NO. D-4
UNDER SECTION 14(3) OF
THE PLANNING ACT

DEFERRED NO. D-5
UNDER SECTION 14(3) OF
THE PLANNING ACT

DEFERRED NO. D-1
UNDER SECTION 14(3) OF
THE PLANNING ACT

DEFERRED NO. D-1
UNDER SECTION 14(3) OF
THE PLANNING ACT

500 1000 2000
Scale in metres

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 587 JAMES STREET NORTH

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, proposed by the Council of The Corporation of the City of Hamilton, but not yet approved by the Minister under The Planning Act at the time of the passing of the by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-2 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district to "H" (Community Shopping and Commercial, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "H" (Community Shopping and Commercial, etc.) district provisions applicable to the land referred to in section 1 are amended to the extent only of the special requirement that,

- (a) notwithstanding section 14(1) of By-law No. 6593, no use shall be permitted other than the following,

- (i) COMMERCIAL USE:

- 1. An automobile service station.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-818".

5. Sheet No. W-2 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-818".

6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 6 R.P.D.C. 3, March 8
Petro-Canada Enterprises Inc., Owner
ZA-82-52

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Adopt:

Official Plan Amendment No. 1

Respecting:

LAND LOCATED AT MUNICIPAL NO. 56 FREDERICK AVENUE

The Council of The Corporation of the City of
Hamilton enacts as follows:

1. Amendment No. 1 to the Official Plan of the
Hamilton Planning Area consisting of Schedule 1, hereto
annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such
approval of the Official Plan Amendment referred to in
section 1 above, as may be requisite, be obtained and for
the doing of all things for the purpose thereof.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 6 R.P.D.C. 1(a), March 8
C.L. Aceti, Owner
ZA-82-46

AMENDMENT NO. 1 TO THE CITY OF HAMILTON OFFICIAL PLAN

The following text, together with the attached Schedule "B" hereto, constitute Amendment No. 1.

PURPOSE

To establish a site specific policy to permit limited commercial and office uses on lands designated for "Residential" uses.

LOCATION

North-west corner of Britannia Avenue and Frederick Avenue, known municipally as 56 Frederick Avenue in the Crown Point East Neighbourhood.

BASIS

It is proposed to amend the Restricted Area By-Law to permit limited neighbourhood commercial and professional offices on the ground floor of the existing building. To facilitate this change, it is proposed that the Official Plan be amended accordingly.

ACTUAL CHANGE

- i) The following new policy be added to Subsection A.2.9.3, Other Policy Areas, as Policy A.2.9.3.14:

"Notwithstanding the permitted uses, as set out in Subsection A.2.1 (Residential Uses) for those lands shown on Schedule "B" as SPECIAL POLICY AREA 16, and known municipally as 56 Frederick Avenue, limited neighbourhood commercial and professional offices may be permitted only on the ground floor of the existing building."

- ii) The following be added to Schedule "B" (Special Policy Areas):

- SPECIAL POLICY AREA 16; and,
- "Area 16 refer to Policy A.2.9.3.14" to the legend,

all as shown on the attached Schedule "B" to this Amendment.

IMPLEMENTATION

A restricted area by-law will give effect to the intended uses of the subject lands.

Bill No. D-59

This is Schedule 1 to By-law No. 83- , passed on the day of
 , 1983.

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk


Mayor

schedule B
amendment no.1
to the
official plan
for the
city of hamilton

DEFERRED NO. D-4
UNDER SECTION 14(3) OF
THE PLANNING ACT

date	down by	reference file no
march, 1983	G.M.	5501021

legend

	special policy area 16 - 2.9.3.14
-----------------------------------------------------------------------------------	-----------------------------------

special policy areas

legend



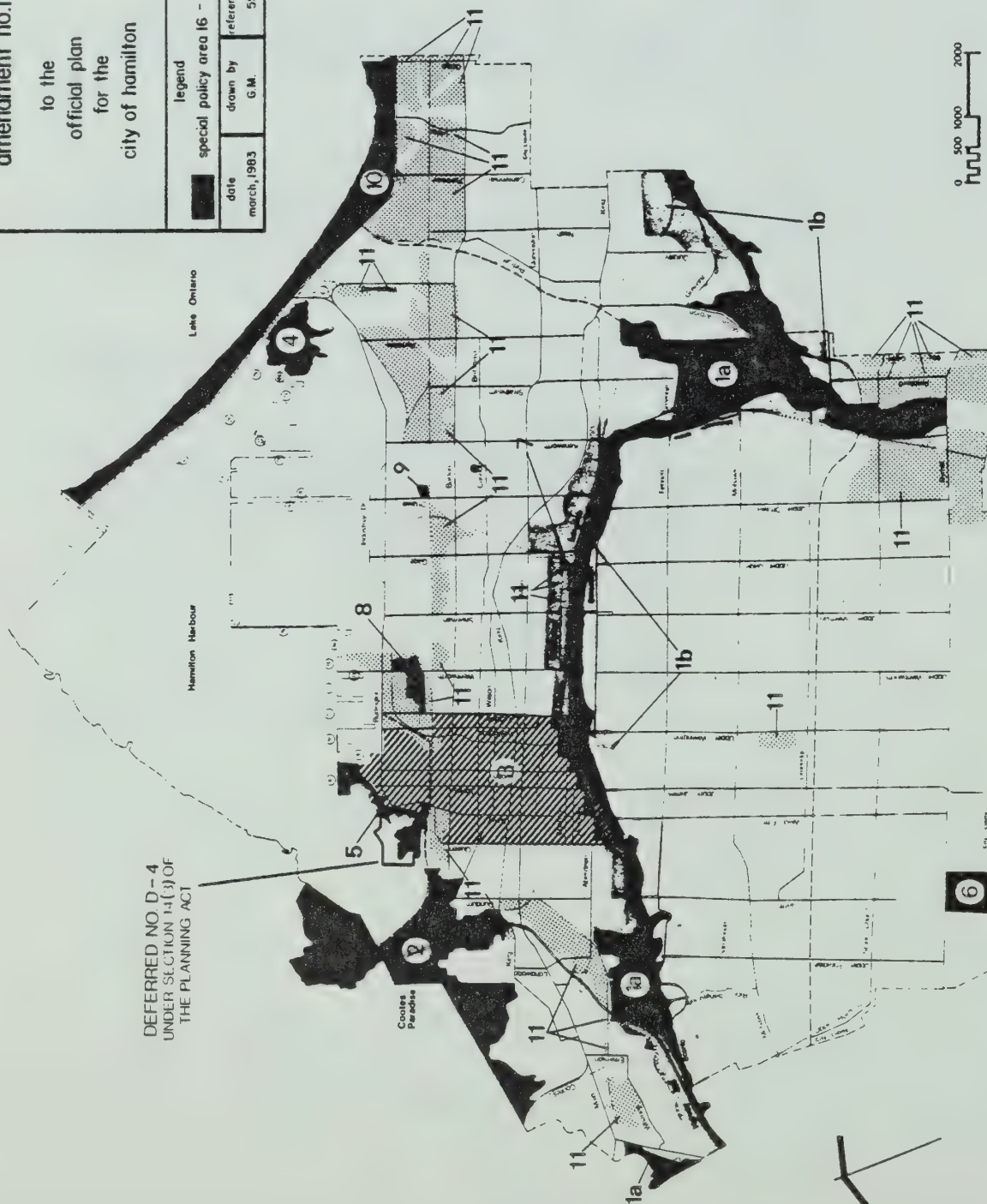
special policy areas

Area 1 (a)	refer to Subsection A.2.9.1.
Area 1 (b)	" " " A.2.9.1.
Area 2	" " " A.2.9.2.
Area 3	" " " A.2.9.3, policy 2.9.3.1
Area 4	" " Policy 2.9.3.2
Area 5	" " " 2.9.3.3.
Area 6	" " " 2.9.3.4.
Area 7	" " " 2.9.3.5.
Area 8	" " " 2.9.3.6.
Area 9	" " " 2.9.3.7.
Area 10	" " " 2.9.3.8.
Area 11	" " " 2.9.3.9.

Refer to Schedule B-1 for Special Policy Areas in the Downtown

schedule B

to the official plan
for
the city of hamilton
82 09 01



The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 56 FREDERICK AVENUE

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, proposed by the Council of The Corporation of the City of Hamilton, but not yet approved by the Minister under The Planning Act at the time of the passing of the by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-54 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district to "G" (Neighbourhood Shopping Centre, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "G" (Neighbourhood Shopping Centre, etc.) district provisions applicable to the land referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding section 13(1) and (4) of By-law No. 6593, no uses shall be permitted within the building existing on the land at the date of the passing of this by-law, other than the following,

(i) RESIDENTIAL USES:

- 1. A single family dwelling or a two-family dwelling unit;
- 2. One single family dwelling unit in conjunction with one commercial use referred to in subclause (ii);

(ii) COMMERCIAL USES:

1. A professional office, business office, optician's office;
 2. A photographer's or artist's studio but not including a motion picture studio;
 3. A barber shop, hairdressing establishment, beauty parlour;
 4. A tailor's shop;
 5. A shoe repair shop;
 6. A pharmacy;
 7. A dry cleaning depot confined only to pick-up and delivery;
 8. A retail bakery store but not including a bakery as incidental thereto, located in the first storey;
 9. A business identification sign that is a wall sign of an occupancy or use, that complies with the following requirements:
 - A. No sign shall exceed 2.0 metres in vertical dimension;
 - B. The total aggregate area of all signs shall not exceed 0.5 square metres for each 0.5 metres of exterior lineal face of that part of the building facing Frederick Avenue; and
 - C. Every sign shall be parallel to the wall to which it is affixed; and
 - D. No sign shall be illuminated unless the source of light is steady and suitably shielded to contain the illumination.
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G" District provisions subject to the special requirements referred to in section 2.
4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-816".
5. Sheet No. E-54 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-816".

6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

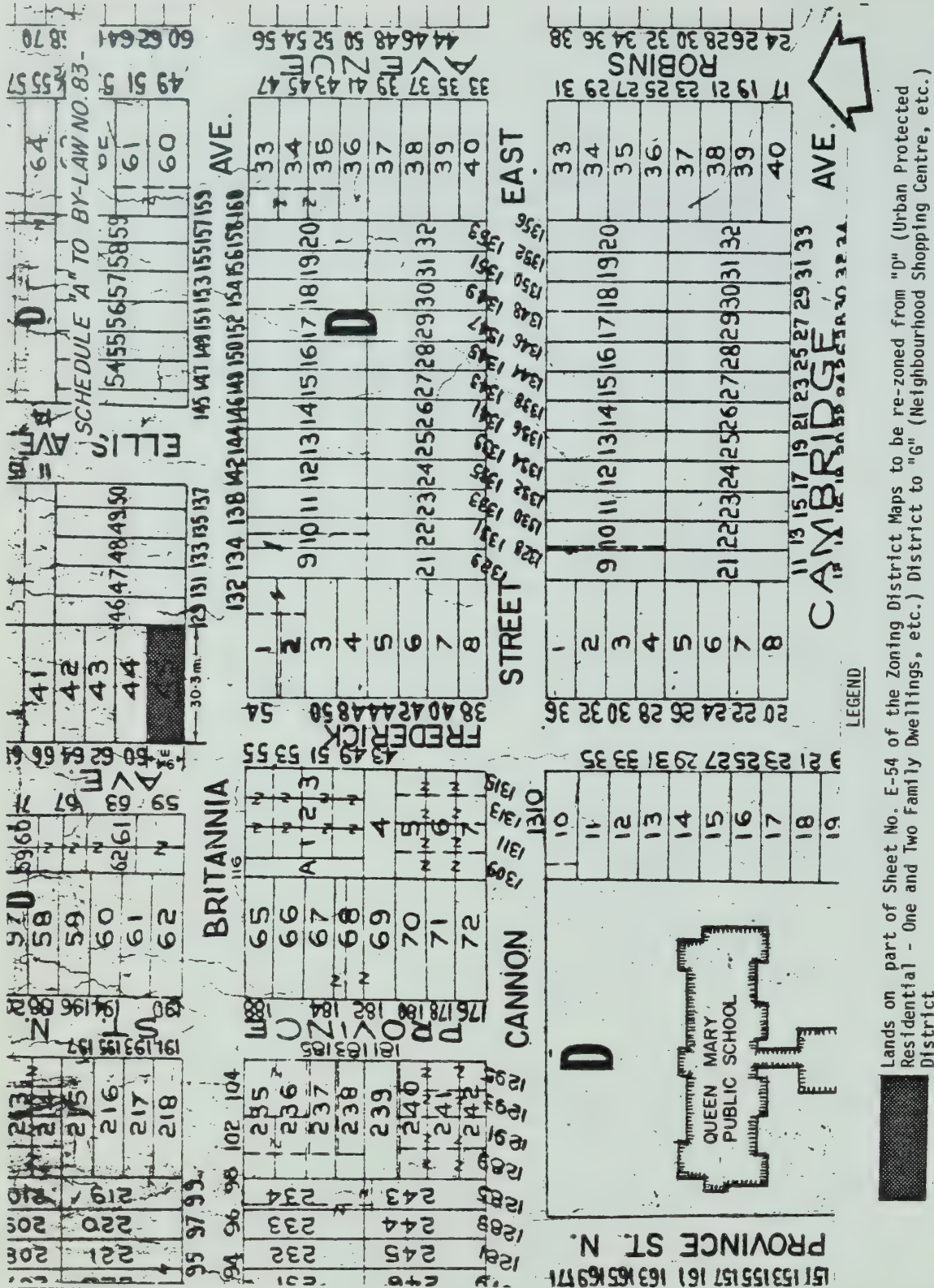
Mayor

(1983) 6 R.P.D.C. 1(b,c), March 8
C.L. Aceti, Owner
ZA-82-46

THE CORPORATION OF THE CITY OF HAMILTON

Mayor

Bill No.



2A82-46

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Authorize:

REPAIR OF THE GUARDS FOR THE LANDING
FOR THE BUILDING LOCATED AT

MUNICIPAL NO. 13-15 BOLD STREET

WHEREAS Subsection 4 of Section 10 of The Ontario Building Code Act, R.S.O. 1980, Chapter 51 provides as follows:

(4) Where the Chief Official has made an Order under Subsection 2 and considers it necessary for the safety of the public, he may cause the building to be renovated, repaired or demolished for the purpose of removing the unsafe condition or take such action as he considers necessary for the protection of the public and, where the building is in a municipality, the cost of the renovation, repair, demolition or other action may be added by the Clerk to the collector's roll and collected in like manner as municipal taxes;

AND WHEREAS the Chief Official has made Orders to comply in accordance with Subsection 2 of Section 10 of the said Act;

AND WHEREAS the Chief Official considers it necessary for the safety of the public to cause the guards for the landing of the first floor above grade to be altered to provide a minimum four inch opening to comply with the Building Code.

AND WHEREAS it is desirable to authorize the Chief Official to proceed to alter the guards on the landing to close the openings to prevent children from being able to fall through.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Chief Official, being the Building Commissioner, is hereby authorized to proceed to alter the guards for the landing to provide a safe guard in accordance with the Building By-Law for the first floor landing at 13-15 Bold Street.

2. The Clerk is hereby authorized to proceed to add the cost of the repairs referred to in section 1 to the collector's roll and the cost so added shall be collected in like manner as municipal taxes.

PASSED this

day of

A.D. 1983.

CITY CLERK

MAYOR

(1983) 7 R.P.D.C. 10, March 29

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 75-61

As Amended by By-law No. 75-175

Respecting:

LAND LOCATED AT MUNICIPAL NO. 257 MAIN STREET EAST

WHEREAS By-law No. 75-61, passed on the 4th day of March, 1975, as amended by By-law No. 75-175, passed on the 24th day of June, 1975, provides for the setback of buildings and structures on major streets in the area below the escarpment and prohibits the erection, alteration, extension and enlargement of the buildings or structures within the area proposed for future road allowances;

AND WHEREAS it is desirable to exempt the property located at No. 257 Main Street East in order to permit the erection of a rotating ground sign on the proposed future road allowance as determined by the said by-laws.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 75-61, as amended by By-law No. 75-175, shall not apply to prohibit the erection of a rotating ground sign having an approximate area of 8.3 square metres, with a minimum of 3.9 metres from the property line on both Main and Wellington Streets, located at No. 257 Main Street East.

PASSED this

day of

A.D. 1983.

City Clerk

Mayor

(1983) 7 R.P.D.C. 8, March 29

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 77-65

Respecting:

LAND LOCATED IN THE WEST HARBOUR

WHEREAS By-law No. 77-65, passed on the 8th day of March, 1977, rezoned land located in the West Harbour, the extent and boundaries of which are shown on schedule "A" to the by-law, from "F" (Special Waterfront) district, "J" (Light and Limited Heavy Industry, etc.) district and "K" (Heavy Industry, etc.) district to "L-pn" (Planned Development - Public and Institutional) district;

AND WHEREAS the land shown on schedule "A" to the said by-law included the land shown on schedule "A" to this by-law;

AND WHEREAS it is intended to re-establish the original "F" District zoning applicable to the land shown on schedule "A" to this by-law to permit the establishment of a boat tour operation consisting of a dock, ticket office, and parking area facility, on a portion of the City owned harbour park site;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets Nos. W-1 and W-2 of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821), are amended,

- (a) by changing from "L-pn" (Planned Development - Public and Institutional) district, to "F" (Special Waterfront) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. Schedule "A" to By-law No. 77-65 is amended by deleting therefrom the land shown on the plan hereto annexed as schedule "A".

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 6 R.P.D.C. 8, March 8
City Initiative 83-C

Schedule "A" to By-law No.83-



Legend



Lands to be Regulated by By-law No.83-

Bill No.

This is Schedule to By-law No. passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

J-24

Mayor

BY-LAW NO. 83 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE Twelfth DAY OF April, A.D., 1983.

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this Twelfth day of April, A.D., 1983.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Fire Department By-law No. 68-34

Respecting:

QUALIFICATIONS

WHEREAS By-law No. 68-34, passed on the 30th day of January, 1968, provides for the regulation of the Fire Department of the City of Hamilton;

AND WHEREAS education requirements for admission to the Ontario Fire College commencing 1984 have been set at Grade 12 secondary school education and the appropriate level of experience;

AND WHEREAS it is intended to change the said by-law to accord with the said education admission requirements.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Clause 3(1)(b) of By-law No. 68-34 is amended by striking out "elementary school Grade 10" at the end of the first line and inserting in lieu thereof "secondary school Grade 12".

PASSED this

day of

A.D. 1983.

City Clerk

Mayor

(1983) 5 R.P.C. 2, March 29

URBAN MUNICIPAL BULLETIN BOARD



MEETING OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, April 26, 1983
7:30 o'clock p.m.
Council Chambers
City Hall

A G E N D A

1. Prayer
2. Minutes of Previous Meeting held April 12, 1983
3. Correspondence and petitions (attached) - City Clerk
 - (a) The Hon. Claude F. Bennett, Minister of Municipal Affairs and Housing - Request to appoint more Ontario Municipal Board Hearing Officers
 - (b) Mr. Trevor Turner, Vice-Chairman for Muscular Dystrophy Carnival at Sir Allan MacNab Secondary School for The Leman Brothers Memorial Fund
4. Reports of Standing Committees - attached
 - A Transport and Environment Committee
 - B Parks and Recreation Committee
 - C Finance Committee
 - D Planning and Development Committee
 - E Legislation Committee
 - F Personnel Committee
 - G Special Harbour Committee
5. Notices of Motion for next meeting
6. First reading of Bills
7. Second reading of Bills - Committee of the Whole
8. Third reading of Bills
9. Question period
10. Adjournment

C O R R E S P O N D E N C E



APR 7 1983
CITY CLERKS

3(a)

Office of the
Minister

Ministry of
Municipal Affairs
and Housing

Hearst Block
Queen's Park
Toronto, Ontario
M7A 2K5
416/965-6456

March 22, 1983

Mr. E.A. Simpson
Clerk
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear

Mr. Simpson:

Re: Request to appoint more Ontario
Municipal Board Hearing Officers

I hereby acknowledge your recent letter requesting
that I consider the above-noted council resolution.

Please be advised that Ontario Municipal Board members
are appointed by the Lieutenant-Governor-in-Council,
and membership has increased in recent years in response
to the increasing number of issues before the board.
The board functions as an administrative tribunal and
is managed by the Ministry of the Attorney General. As
such, I have taken the liberty of sending a copy of your
letter to my colleague, the Honourable Roy McMurtry,
Attorney General.

My staff have informed me that the City of Hamilton
does not process zoning by-laws under section 39(26)
of the Planning Act, R.S.O. 1980. As of September 1,
1979, municipalities with an official plan in effect
can either submit their zoning by-laws to the Ontario
Municipal Board for approval or they can proceed in
accordance with section 39(26) and associated Ontario
Regulation 78/80. The regulation allows a zoning
by-law to come into effect without the board's approval,
provided no objections are received. Your municipality
may wish to process by-laws under section 39(26) of
the Planning Act thus allowing zoning by-laws and
amendments to come into effect sooner.

I trust this response is satisfactory to you.

Yours sincerely,

Claude F. Bennett
Claude F. Bennett
Minister
M.P.P. Ottawa South

3 (b)



MUSCULAR DYSTROPHY ASSOCIATION OF CANADA

THE LEMAN BROTHERS MEMORIAL FUND

RECEIVED

APR 11 1983
CITY CLERKS

April, 11, 1983

City Council
City Hall
Hamilton, Ontario,
CANADA

APR 22 1983

Dear Mayor Morrow and Members of City Council:

We the STUDENT COUNCIL of SIR ALLAN MacNAB SECONDARY SCHOOL of 145 Magnolia Drive are holding a MUSCULAR DYSTROPHY CARNIVAL in conjunction with THE LEMAN BROTHERS MEMORIAL FUND, a recognized fund raising organization in HAMILTON by THE MUSCULAR DYSTROPHY ASSOCIATION of CANADA.

The Carnival will take place on Saturday July 2nd of this year at SIR ALLAN MacNAB by the means of using the campus and areas inside the school itself which have been granted to us by the BOARD OF EDUCATION.

Enclosed, is a schedule of major events that will take place throughout the day. Others than already specified are various activities for the youth at heart such as ballon toss, bean bag toss and draws. For the adults we've organized bingo, spin the wheel, and raffles on various donations to the Carnival from the Business sector.

We are asking the support of City Council to attend this function on July 2nd with the Mayor of HAMILTON and the two Alderman from Ward 8 to officially open the festivities to the public at large. After doing so, if it is possible to participate in an event called the "Dunking Booth" where citizens could enjoy the pleasure of dunking their favourite local politians. Which would begin at approximately at 2:00pm. This event is for fun which I must stress and is open to all members of City Council.

The entire days proceeds go to the MUSCULAR DYSTROPHY ASSOCIATION OF CANADA. If there are any questions and/or you would like to participate please contact TREVOR TURNER, 149 WEST 28TH, HAMILTON, L9C 5B1, 383-4626.

Sincerely yours,

TREVOR TURNER
Vice-Chairman of
the CARNIVAL

President: Gerry Blair
(416) 662-1783

Ontario Field Director
Paul McKay
(416) 363-2112



MUSCULAR DYSTROPHY ASSOCIATION OF CANADA

THE LEMAN BROTHERS MEMORIAL FUND

CARNIVAL SCHEDULE

10:00	CARNIVAL BEGINS
11:00-11:30	OPENING CERIMONIES BEGIN (on the football field)
12:00- 1:30	BINGO (in gym C)
1:00- 1:45	BAND NAME: SWITCH (in the auditorium)
2:00- 2:45	MAGIC SHOW PREFORMOR: DOUG BASHAM (in gym A and B)
3:00- 3:45	BAND NAME: TAKE 2 (in the auditorium)
7:00-10:00	DANCE (in the tennis court)

** ALL PROCEDES GO TO MUSCULAR DYSTROPHY OF CANADA

R E P O R T S

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **EIGHTH** Report for 1983 and respectfully recommends:

1. That Clause 3 of the Report of the Traffic and Engineering Committee, adopted by City Council on January 28th, 1975, and Clause 14 of the Report of the Traffic and Engineering Committee, adopted by City Council on June 10th, 1975, be rescinded in their entirety.

NOTE: This proposed By-law did not proceed as a result of representation from area residents and this is documented in Clause 6 of the Report of the Traffic and Engineering Committee, adopted by City Council on September 30th, 1975. This latter clause did not, however, rescind the previous recommendations and this action is now being taken to close our files on the matter.

2. That Clause 1 of the Report of the Traffic and Engineering Committee, adopted by City Council on September 29th, 1973, be rescinded in its entirety.

NOTE: The applicants for this closing (The Polonia Club) subsequently withdrew the application and the present action is now being taken to close our file on the matter.

3. That Clause 26 of the Report of the Committee on Works, adopted by City Council on May 14th, 1963 and Clause 20 of the Report of the said Committee, adopted by City Council on August 27th, 1963, be rescinded in their entirety.

NOTE: The reasons for not proceeding with the proposed closing are not now apparent, but subsequent development in the area and the use by traffic of this portion of Scenic Drive (including the signalization of the Garth/Fennell/Scenic intersection), make it plain that the proposal is redundant. This action is being taken to close our file on the matter.

4. That the City Solicitor be directed to proceed with the preparation of a By-law to widen Centennial Parkway by incorporating therein Part 1 Plan 62R-5985, Part 1 62R-6039 and Part 1 62R-6412.

NOTE: These lands were dedicated to the City specifically for the widening of Centennial Parkway. The proposed By-law will satisfy our obligations and will also prevent any adverse possession claims.

5. That the City of Hamilton purchase a parcel of land adjacent to the west boundary of 2804 King Street East having a total area of approximately 6,100 square feet from the Estate of Gordon Ernest Nash for the sum of \$15,090.00 in connection with the extension of Greenhill Avenue. The purchase of the land is to be charged to Account Number 0280-02.

NOTE: As a result of the expropriation of certain lands required by the City for the construction of Greenhill Avenue southerly from King Street East, the owners of an affected parcel of land described as Part 12 on Expropriation Plan 203918 C.D. dated December 16th, 1981, requested a meeting with the Board of Negotiation in order to negotiate a settlement of the compensation.

Part 12 having an area of 2,464 square feet is a partial taking of a parcel of land having a total area of 6,098 square feet.

Pursuant to the Expropriation Act, the Board of Negotiation met with the owners and City representative on January 13th, 1983. The Board, in their opinion, found that the expropriation by the City of the subject Part 12 caused injurious affection to the remaining lands of the owner to the extent that the Board recommended that the City purchase all the lands of the owner at this location.

The Real Estate department is satisfied with the recommendation of the Board of Negotiation for the following reasons:

- (a) The purchase price of the land represents fair market value.
 - (b) Whereas the proposed use planned for these lands is commercial, the surplus land will appreciate in value at some future date and the City could at that time realize full recovery of this expenditure.
 - (c) The City's requirements for this project cannot be acquired short of Arbitration pursuant to the Expropriations Act, the cost for which could greatly escalate the cost of acquisition.
6. That the closing date of the sale of City lands on north side of York Boulevard between Magill and Ray Streets to Construction House of Hamilton Ltd., for the sum of \$200,000 which was authorized by City Council on October 12, 1982 (the 16th Report of the Transport and Environment Committee), and scheduled to close on April 28th, 1983, be extended to close on May 31st, 1983.

NOTE: This transaction was previously extended to provide for the procurement of minor variances essential to the development. These variances are now approved. Staff is advised that the purchaser's plans are acceptable to the Building Department subject to final agreement relative to grade standards and such minor technicalities which are now being finalized by the purchaser's architect. It is evident that the scheduled date for closing, namely April 28th, 1983 may jeopardize the transaction and the purchaser's solicitor has requested a final extension of one month to May 31st, 1983.

Whereas the purchaser has expended in excess of \$25,000 on surveys, soil tests, architectural and legal costs to date and whereas their closing may well be possibly before May 31st, it is recommended that this extension be granted.

7. That permission be granted to Mr. W. J. C. White, Solicitor for Dundurn Construction Company Limited to apply on behalf of the Corporation of the City of Hamilton to put Parts 1 to 8 inclusive, of the proposed plan of subdivision - Riverdale East

Neighbourhood placement of City lands in Land Titles System, according to Plan 62R-2640 and Parts 2,3,4 and 5 according to Plan 62R-3664, being part of Lot 24, Concession 2 in the former Township of Saltfleet, lying in the vicinity of Lake Avenue North and Queenston Road, into the Land Titles System.

NOTE: Dundurn Construction Company Limited, who own a fairly substantial sized parcel of land in the Riverdale East Neighbourhood lying east of Lake Avenue and north of Queenston Road are proceeding with plans to develop the site as a residential plan of subdivision. Included in the proposed plan of subdivision will be lands currently owned by the city of Hamilton which were purchased some years ago from Dundurn Construction Company Limited for future roadway purposes and the installation of municipal services. It is proposed that in the very near future the lands will be conveyed back to Dundurn Construction upon the payment of suitable compensation.

In the meantime, however, Dundurn Construction Company Limited must apply to place their lands and the City's within the Land Titles System. This process is rather time consuming and in order to expedite the plan of subdivision, the solicitor for Dundurn Construction Company is requesting the City's permission to include the City's lands in their said application.

8. SWAROLITE CANADA LTD., Milton, Ontario.

Supply and delivery of Moisture Proof Drop-on Glass Beads in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

60,000 lbs. in 50 lb. bags, delivered in 5 shipments @ \$.2276 lb. \$13,656.00

Ontario Retail Sales Tax Extra @ 7%.

Note: Lower of 2 tenders received.

Funds have been provided in the approved estimates for this purpose.

9. IBIS PRODUCTS LTD., Scarborough, Ontario.

Supply and delivery of Traffic Paint in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

White in 45 Gal. Drums	- \$6.50 Gal.
Yellow in 45 Gal. Drums	- \$6.65 Gal.
White in 5 Gal. Pails	- \$6.70 Gal.
Yellow in 5 Gal. Pails	- \$6.85 Gal.
45 Gallon Drums charged at \$30.00 each refundable.	

Ontario Retail Sales Tax Extra @ 7%.

Note: Lowest of 3 tenders received.

Funds have been provided in the approved estimates for this purpose.

10. That the owner of 1219 Main Street East, Mr. L. Mazzon, be permitted to park on the boulevard of Edgemont Street adjacent to his property at 1219 Main Street East at no charge.

11. That a time limit exemption permit be issued to Mr. and Mrs. Paul Weatherley, residents of the apartment building at 123 St. Joseph's Drive.
12. That:
 - i. a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of West 35th Street between Leslie Avenue and Bendamere Avenue, and;
 - ii. the area bounded by the Mountain Brow, West City Limits, East-West Corridor and Garth Street be designated as a time limit exemption area.

NOTE: It is understood that the residents in this area will be eligible to receive time limit exemption permits.
13. That the application by Liquid Carbonic Incorporated to lease a portion of the boulevard of Roosevelt Avenue, adjacent to 510 Beach Road, be approved provided that:
 - i. the applicant pay the annual fee in accordance with the fee structure approved by the City Council on November 30, 1976 (current rate is \$92.74), plus taxes, if any, in addition to the \$25.00 annual fee to be charged to the applicant for encroachment insurance.
 - ii. the owner complies with the requirements as set out in the policy approved by City Council on June 24, 1975, respecting using a portion of the road allowance for parking purposes.
 - iii. the approach, parking area and other structures as required be constructed and maintained in accordance with the drawing on Schedule "B" of the agreement, at the owner's expense.
 - iv. the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
14. That:
 - i. Approval be given to the request of Mrs. Christina Van Eerdewijk, 29-95 Wendover Drive, for the erection of a special sign on Wendover Drive which would alert drivers of the presence of a blind child in this area;
 - ii. The Traffic Department and the C.N.I.B. work together to prepare a report regarding the feasibility of implementing a limited signing program in the City of Hamilton;
 - iii. The Finance Committee be requested to recommend the method of financing.
15. That a "One Hour Parking Time Limit" regulation be implemented on Severn Street, in combination with the existing "Alternate Side Parking" regulation on the street.

16. That:

- i. a parking prohibition be implemented on the south side of Patterson Street between Queen Street North and the easterly end of the street, and;
- ii. a parking prohibition be implemented on the north side of Patterson Street between Queen Street North and a point 118 feet easterly therefrom.

17. That the "One Hour Parking Time Limit, 8:00 a.m. to 9:00 p.m., Monday to Saturday" regulation for the north branch of Cannon Street between Caroline Street and Hess Street be rescinded from By-law 66-100.

18. That:

- i. a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the west side of East 25th Street, commencing at a point 82 feet south of Concession Street and extending to a point 319 feet southerly therefrom, and,
- ii. the area bounded by the Mountain Brow, Upper Wentworth Street, East-West Corridor and Upper Gage Avenue be designated as a time limit exemption area.

19. That for one and two family homes:

- i. no restrictions be placed upon the paving of the boulevard of the public highway in front of the home, subject to the execution of the standard boulevard paving agreement; and
- ii. an approach ramp, not to exceed 18 feet in width alone or in combination with a driveway approach ramp, be granted for a boulevard parking area; and
- iii. a boulevard parking agreement allow parking on the boulevard only within the area immediately adjacent to the approved approach ramp; and
- iv. an approach ramp and boulevard parking agreement not be approved for parking spaces, portions of which lie within ten feet of a fire hydrant or which leave less than three feet for access to the doorway or steps leading to a dwelling; and
- v. a driveway approach and boulevard parking agreement not be approved for parking spaces which would require the removal of a tree from the boulevard or the paving of the boulevard within three feet of the trunk of the tree, without the written approval of the Director of Public Works; and
- vi. the Policy respecting boulevard parking for one and two family dwellings be amended in accordance with the above requirements.

20. That the approval to grant a discharge of the agreement permitting vehicles to be parked on the City boulevard of Fairfield Avenue adjacent to the property at No. 1517 Barton Street East, be rescinded.

21. That the following bus stop relocation be approved:

Nash Route

Northbound	- delete	- Nash Road opposite Glen Echo (MB)
	- add	- Nash Road at a point 143 feet north of the north curb of Glen Echo Drive

22. That left turns be prohibited for traffic northbound on Hughson Street at the south branch of King Street, between the hours of 12:00 noon and 8:00 a.m. the following day. (buses excepted)

23. That a "No Parking, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Burton Street, commencing at a point 193 feet west of Douglas Street and extending to a point 42 feet westerly therefrom.

24. That, in accordance with the Policy, time limit exemption permits not be issued to the residents of the apartment building at No. 200 Bay Street South.

25. That:

- i. A budget for 1983 be approved in the amount of \$3,600 to cover the maintenance of the Hess Village Mall, excluding maintenance of illumination, and that amount be forwarded to the Hess Village Mall Authority to be administered by them.
- ii. The Finance Committee be requested to endorse the above resolution and to recommend the method of financing.
- iii. The last sentence, "It is further recommended that the City Solicitor be authorized and directed to prepare a by-law to amend the by-law establishing the Hess Village Pedestrian Mall to provide that such maintenance expenses are the responsibility of the Hess Village Pedestrian Mall Authority" of item 7 of the 15th Report of the Finance Committee, approved by City Council on 82 08 31, be rescinded.

26. That approval be granted to the request of Mr. J. Oliviera, owner of the property at 127 Tisdale Street North, to have the City pay for the cost of re-installation of the fence abutting the public assumed alley at 127 Tisdale Street North at an estimated cost of \$400 subject to the following provisions:

- i. That the owner enter into an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- ii. That an annual fee of \$10 plus applicable realty taxes be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the \$25 annual fee to be charged to the owner for encroachment insurance.
- iii. that the fence is to be installed on the south alley boundary line as defined on property survey plan dated 82 10 27 by E. Barich, O.L.S., for 127 Tisdale Street North.

27. Whereas it is desirable and expedient that certain works be undertaken, it is hereby recommended:
- i. That the report of the Commissioner of Engineering and the City Treasurer, appended hereto, recommending the construction of a finished roadway, curbs and sidewalks on Upper Horning Road from Horning Drive to Amalfi Street as local improvements on the initiative pursuant to Section 12 of The Local Improvement Act be adopted; and
 - ii. That the City Clerk and City Treasurer be directed to give the necessary notice of the Council's intention to undertake these works; and
 - iii. That the City Solicitor be directed to make application to the Ontario Municipal Board for approval of the described undertaking pursuant to Section 64 of The Ontario Municipal Board Act if no petition has been filed or an insufficient petition has been filed against the work as set forth in Section 12 of The Local Improvement Act; and
 - iv. That the Finance Committee be requested to recommend the method of financing.
28. That the application of Mr. W. Colbert, owner of 47 Belmont Avenue, to retain the following inadvertent encroachments on Dunsmure Road, be approved during the pleasure of Council,
- i. frame garage approximately 0.06 m by approximately 3.04 m
 - ii. bay window and brick dwelling approximately 1.23 m by approximately 7.92 m,
- provided:
- (a) That the owner enter into an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (b) That an annual fee of \$20 plus applicable realty taxes be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the \$25 annual fee to be charged to the owner for encroachment insurance.
29. That the application of Mr. A. Crustolo, owner of 381 and 383 MacNab Street North, to retain the following inadvertent encroachments, be approved during the pleasure of Council:
- i. 383 MacNab Street North - Wooden stairs approximately 0.45 m by approximately 0.91 m
 - ii. 381 MacNab Street North - Wooden verandah approximately 1.19 m by 5.84 m
- provided:
- (a) That the owner enter into an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

37. That leave be granted to introduce the following bills:

- (a) A-24 By-law respecting the construction of local improvements on an independent concrete sidewalk on the north side of Fennell Avenue West
- (b) A-25 By-law to widen Emerald Street, east side, King to King William Street
- (c) A-26 By-law to establish Leander Drive
- (d) A-27 By-law to widen and extend Elmore Drive by incorporating part of 1' reserve therein
- (e) A-28 By-law to widen Quigley Road, east side, south of T.H.& B. Railway
- (f) A-29 By-law to widen Rosedale Avenue at King Street
- (g) A-30 By-law to widen Ferguson Avenue, east side, between Hunter and Jackson Streets
- (h) A-31 By-law to widen Trinity Church Road, west side, south of Rymal Road
- (i) A-32 By-law to extend Gardiner Drive by incorporating 1' reserves, Block 'BX', Plan M-98 and Block 'BX', Plan M-172
- (j) A-33 By-law to widen Fairridge Road, east side
- (k) A-34 By-law to amend By-law 66-100 to Regulate Traffic
- (l) A-35 By-law to amend By-law 66-100 to Regulate Traffic

RESPECTFULLY SUBMITTED,

ALDERMAN H. MERLING, CHAIRMAN

R. C. Prowse,
Secretary
Attach.

April 18, 1983

REPORT ON LOCAL IMPROVEMENTS

To the Chairman and Members of the Transport and Environment Committee

Members of the Committee:

The following works are recommended to be undertaken as Local Improvements under "The Local Improvement Act".

Character or description of work or undertaking:

Name of Street upon which work is to be Constructed	Between the following Streets or Points	Project Number	Estimated Lifetime Gross Cost of Work in Years	Share or Portion of Cost which should be Borne by the Lands Abutting directly on the Work to be Debentured	Share or Portion of the Act	Reduction Which Ought to be Made under Section 28 of the Act	Aggregate Amount of such Reduction	Estimated Cost Per Metre to be Rated
1. 8.5m wide finished roadway on Upper Horning Road (Section 12 L.I.A.)	From Horning Drive to Amalfi Street	821-38A	20	\$438 000	\$199 700	\$238 300	\$9 673.56	\$106
2. 150mm wide independent concrete curb on Upper Horning Road (Both Sides) (Section 12 L.I.A.)	From Horning Drive to approximately 195m southerly (south limit of freeway)	821-38B	20	\$17 000	\$6 415	\$10 585	NIL	\$20
3. 150mm wide independent concrete curb on Upper Horning Road (west side) (Section 12 L.I.A.)	From approximately 372m south of Horning Drive (south limit of Hillside Terrace Phase I to Amalfi Street)	821-38C	20	\$18 500	\$15 000	\$3 500	NIL	\$20

- Estimated cost per metre increased by approx. 160% if debentured over 15 years.

DATED at Hamilton this

day of

A.D., 19

W. H. McFarland

Treasurer and Commissioner of Finance.

J. R. G. Leach

Commissioner of Engineering

Referred to in Section 27 of the Eighth Report of the Transport and Environment Committee.

REPORT ON LOCAL IMPROVEMENTS

To the Chairman and Members of the Transport and Environment Committee

Members of the Committee:

The following works are recommended to be undertaken as Local Improvements under "The Local Improvement Act".

Character or description of work or undertaking:

Name of Street upon which work is to be Constructed	Between the following Streets or Points	Project Number	Estimated Lifetime of Work in Years	Estimated Gross Cost of Work	Share or Portion of Cost which should be Borne by the Lands Abutting directly on the Work to be Debentured		Share or Portion that should be Borne by the Corporation	Reduction Which Ought to be Made under Section 28 of the Act	Aggregate Amount of such Reduction	Estimated Cost Per Metre to be Rated
4. 1.5m wide combined walk and curb on Upper Horning Road (east side) (Section 12 L.I.A.)	From approximately 30m north of Guildwood Drive to approximately 55m northerly (in front of #591 to #607 Upper Horning Road)	821-38D	20	\$7 500	\$2 295		\$5 205	NIL	NIL	\$42.50
5. 1.5m wide combined walk and curb on Upper Horning Road (east side) (Section 12 L.I.A.)	From approximately 104m north of Amalfi Street to approximately 72m northerly (in front of #643 Upper Horning Road)	821-38E	20	\$6 500	\$3 045		\$3 455	NIL	NIL	\$42.50

- Estimated cost per metre increased by approx. 160% if debentured over 15 years.

DATED at Hamilton this day of A.D., 19

W. H. McFarland

Treasurer and Commissioner of Finance.

J. R. G. Leach

Commissioner of Engineering

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **TENTH** Report and respectfully recommends:

1. That Mountview Community Council be authorized to conduct a fireworks display at Olympic Park, Monday, May 23, 1983 from 8:15 p.m. to 9:30 p.m., subject to the following terms and conditions:
 - (a) The necessary licences be obtained for the purpose.
 - (b) Adequate police officers be in attendance.
 - (c) Insurance satisfactory to the City, naming the City of Hamilton as named insured be provided for this purpose.
 - (d) That the Community Council assume responsibility for park clean up following the event.
2. That as part of Physical Activity Week, May 15 to 23, complementary family swims be offered and promoted at all recreation centre pools on Tuesday, May 17, 1983 between the hours of 7:00 p.m. to 9:00 p.m.
3. With the adoption of section 7 of the Third Report of the Planning and Development City Council at its meeting on January 25, 1983 denied the request of Samuel and Sheridan Lax to amend the Official Plan from "open space" and "open water" to permit a prestige industrial development with limited commercial, boating and park uses at the west end of Simcoe Street, north of the Stuart Street marshalling yards and requested the Parks and Recreation Committee and the Hamilton Region Conservation Authority to consider the acquisition of the Lax Property and individual waterlots.

In this regard, the Parks and Recreation Committee respectfully recommends the following:

- (a) That the City develop a Central Urban Waterfront Park, consisting of the waterfront section between the Stuart Street C.N.R. marshalling yard and the extension of Ferguson Street North.
- (b) That the City make every reasonable effort to acquire the Lax property for public use; and, further, once acquired the property be developed as part of the Central Urban Waterfront Park.
- (c) That the Director of Real Estate be authorized and directed to commence discussions with the owners forthwith to negotiate ways and means to acquire the Lax property.

- (d) That the Hamilton Region Conservation Authority be requested to assist the City in seeking funding sources.
 - (e) That the Hamilton Region Conservation Authority be requested to assist the City in developing Concept Plans for the site.
 - (f) That the City Treasurer, in consultation with the Director of Real Estate, recommend to the Finance Committee the method of financing the costs of the acquisition of this property.
4. That subject to further consultation with the Hamilton Veteran's Association relative to the development of the Cenotaph area in Gore Park, the Design Concept for the Downtown Action Plan, as shown on plans dated March 22, 1983, be approved.

NOTE: Copies of the Design Concept Plan may be obtained by contacting the Director, Department of Community Development, or the Secretary, Parks and Recreation Committee.

5. The Committee wishes to advise of the appointment of Mr. Jack C. Beemer to the Special Events Advisory Committee.

NOTE: This appointment is to fill the vacancy created on the committee as a result of the resignation of Mr. Paul Hourigan.

Respectfully submitted,

Alderman B. Hinkley, Chairman
Parks and Recreation Committee

J. J. Schatz, Secretary
April 14, 1983

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its **NINTH** Report and respectfully recommends:

1. (a) That the gross cost of \$210,000. for reconstruction of existing parking facilities, as provided for by item 33414 in the 1983 portion of the 1983-1987 Capital Budget Programme, be financed from the Reserve for Off Street Parking, Account No. 0280-14.
- (b) That the gross cost of \$190,000. for land acquisition and development of additional parking facilities in various locations, as provided for by item 33415 in the 1983 portion of the 1983-1987 Capital Budget Programme, be financed from the Reserve for Off Street Parking, Account No. 0280-14.
2. Approval of Change Order No. 1 in favour of Comstock International Ltd., respecting the Central Utilities Plant Contract for storage tank by-pass, in the amount of \$248.08, for additional work on the contract.
3. Approval of the awarding of the following contract:

JOSEPH DICECCA, Troy, Ontario

Supply of #1 Nursery Sod for 1983 in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

Price per .8 square metre roll delivered	\$.57
Price per .8 square metre roll picked up	\$.45

Ontario sales tax extra.

NOTE: Lowest of four (4) tenders received.

4. Item 24(b) of the Eighth Report of the Planning and Development Committee, adopted by City Council April 12, 1983, requested the Finance Committee to recommend the method of financing an advance of \$10,268.44 to the Downtown Business Improvement Area Board of Directors.

In this regard, the Finance Committee recommends that the amount of \$10,268.44 be advanced to the Downtown Business Improvement Area (B.I.A.), representing a portion of their approved budget of \$100,000., and be financed by a charge to an accounts receivable account 0396-0110, which is to be recovered in May 1983 from the tax levy billing to the members of the Downtown B.I.A.
5. Section 12 of the Ninth Report of the Planning and Development Committee makes reference to the Downtown Action Plan at a gross cost of \$2,814,000.

In this regard the Finance Committee recommends that the City Solicitor be authorized and directed to make application to the Ontario Municipal Board to finance this project by the issuance of debentures; and,

that application be made to the Regional Municipality of Hamilton-Wentworth for consent to issue debentures in the total amount of \$2,814,000. for a term not to exceed 20 years.

6. Section 10 of the Ninth Report of the Planning and Development Committee makes reference to the demolition of 15 Woodleigh Avenue.

In this regard the Finance Committee recommends that the estimated cost of \$2,500. to demolish the City-owned property at 15 Woodleigh Avenue be financed from the Reserve for Property Purchases - Account No. 0280 (02).

7. Section 14 of the Eighth Report of the Transport and Environment Committee requests the Finance Committee to recommend the method of financing the cost of erecting a special sign to alert drivers to the presence of blind children.

In this regard, the Finance Committee recommends that the estimated cost of \$200. for special signs to be erected on Wendover Drive be financed from within the existing budget of the Traffic Department, Account No. 0345-31xx.

8. Section 25 of the Eighth Report of the Transport and Environment Committee requests the Finance Committee to recommend method of financing the 1983 Hess Village Pedestrian Mall Authority Budget.

In this regard, the Finance Committee recommends that the 1983 budget request of the Hess Village Pedestrian Mall Authority, in the amount of \$3,600., be financed from Unclassified Expenditure Account No. 0378-2788.

9. Section 27 of the Eighth Report of the Transport and Environment Committee requests the Finance Committee to recommend the method of financing the construction of roadway, curbs and sidewalks on Upper Horning Road from Horning Drive to Amalfi Street.

In this regard, the Finance Committee recommends that the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval to construct a finished roadway, curbs and sidewalks on Upper Horning Road at an estimated cost of owner's share of \$226,455. as well as City's share of \$261,045. by the issuance of debentures totalling \$487,500. for a period not to exceed 15 years.

It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth for consent to issue debentures in the total amount of \$487,500. for a term not to exceed 15 years for the above project.

10. Section 34 of the Eighth Report of the Transport and Environment Committee requests the Finance Committee to recommend the method of financing the cost road drainage ditch improvements on Alderson Drive.

In this regard, the Finance Committee recommends:

- (a) That the estimated cost of \$300. to clean the ditch on Christopher Drive be financed from within the existing 1983 budget of the Department of Public Works. (Account No. 0350-40xx).
 - (b) That the estimated cost of \$8,700. to replace the open ditch on Alderson Drive with a culvert, be financed by a transfer from the Contingency Account to Account No. 0350-40xx of the Department of Public Works.
11. That Mr. E. Beres, Regional Assessment Commissioner, be requested to conduct an Impact Study on the effect of adjusting the 1983 assessment for 1984 taxation for the City of Hamilton from the present 1975 market value basis to 1980 market values, with the Study to include:
- (a) the effect of combining one to six family units, presently in two categories, into one category; and,
 - (b) an alysis, on a ward basis, of the number of properties effected by the assessment shift as well as a summary outlining percentage changes for both increase and decrease in assessment.
12. Approval of the payment of the following accounts:
- (a) Peat, Marwick, Mitchell & Co., Chartered Accountants, in the amount of \$10,328., as recommended for payment by both the City Solicitor and the special Harbour Committee in conjunction with the Hamilton Harbour Commissioners, be financed from the Contingency Account by a transfer to account no. 0325-0156, the Consulting Fees Account in the Legal Department.
 - (b) Fraser & Beatty, Barristers and Solicitors, in the amount of \$5,061.77, in respect of legal services for the period of December 1st, 1982 to February 28th, 1983.
13. Approval of a loan of a maximum of \$72,800. to the Hamilton Public Library Board for the purchase and installation of 16 photocopiers, repayable over a 5 year term with the loan to bear interest at the rate of 12% per annum. This loan to be charged to Account No. 0227.
14. That the following projects listed as part of item 33000 in the 1983 portion of the 1983-1987 Capital Budget Programme, at a gross cost of \$9,509. less provincial subsidies of \$4,754.50, be approved.
- (a) Children's Museum boiler replacement \$5,504.
 - (b) Concession Library Controls \$1,885.
 - (c) Westdale Library Controls \$2,120.

That the balance of \$4,755. be financed from the 1983 Capital Levy.

15. That leave be granted to introduce the following bills:

- (a) Bill C-9 - By-law to Fix the Rates of Taxation for Regional Purposes for the Year 1983.
- (b) Bill C-10 - By-law to Levy an Annual Tax on Telegraph and Telephone Companies doing business in Ontario respecting: the Bell Telephone Company of Canada and Canadian National Telecommunications and Canadian Pacific Telecommunications.

Respectfully submitted,

ALDERMAN T. MURRAY, ACTING CHAIRMAN
FINANCE COMMITTEE

J. J. Schatz, Secretary
April 21st, 1983

D

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **NINTH** Report for 1983 and respectfully recommends:

1. That approval be given to **amend Zoning Application 82-34, M.H.Y. Investments Limited, owner**, regarding lands located on the east side of Upper Ottawa Street, south of Larch Street, as shown on the attached plan marked as APPENDIX "A" to provide for an additional clause to Item 4 of the 20th Report of the Planning and Development Committee, adopted by City Council at its meeting held on Tuesday, October 24, 1982.

The additional clause inserted as subsection (ii) would read as follows:-

- (i) That the "G-3" District provisions as contained in Section 13C of Zoning By-law No.6593 applicable to the subject lands, be modified to include the following variances as special requirements:
 - (a) that notwithstanding the provisions of Section 13C of By-law No. 6593, a loading space, and related loading dock and protective canopy shall be permitted.

Subsections (ii) to (v) should be renumbered accordingly.

Explanatory Note - The proposed modification to the "G-3" (Public Parking Lot) District will permit a loading space, a related loading dock and protective canopy to be provided on the subject lands adjacent to the shopping centre.

2. That approval be given to **Zoning Application 83-21, by Fiore Vacca and Helen Huculiak, owners**, to establish a change in zoning for property located at No. 267 Mount Albion Road, as shown on the attached plan marked as APPENDIX "B" on the following basis:
 - (a) That the subject lands be rezoned from "AA" (Agricultural) District to "DE-2" (Multiple Dwellings) District;
 - (b) That notwithstanding Section 18(3)(iv)(ad) and 18(3)(iv)(b)(1) of By-law No. 6593, required parking and manoeuvring space shall be permitted in the required front yard subject to the following provisions:
 - (i) a minimum 1.5 m landscaped area shall be provided along the side lot lines;
 - (ii) a minimum 2.0 m landscaped area shall be provided along the front lot line, except where access to the lot is provided; and
 - (iii) a minimum distance of 4.5 m or 25% of the height of the principal building, whichever is the greater, shall be provided between the

parking area and any wall of said building.

- (c) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-827, and that the subject lands on Zoning District Map E-88 be notated S-827;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The by-law provides for a change in zoning from "AA" (Agricultural) District to "DE-2" (Multiple Dwellings) District modified for lands located at No. 267 Mount Albion Road. The purpose of the By-law is to permit the development of a sixplex dwelling with a modification to allow the required parking to be located in the front yard.

3. That approval be given to **City Initiative CI-82-K**, to amend Section Three - Application of By-law, of Zoning By-law No. 6593, on the following basis:

- (a) That bus shelters be exempted from the provisions of Zoning By-law No. 6593 by adding a clause to the following effect, under the heading of BUS SHELTERS NOT RESTRICTED;

3 (8) Bus shelters which are constructed and maintained by a municipal transit authority are permitted in a required yard in all zoning districts, notwithstanding all other requirements of the Zoning By-law.

- (b) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and to make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The purpose of the by-law is to amend the zoning by-law to exempt bus shelters from zoning by-law requirements.

4. That approval be given to **City Initiative 83-H**, to amend Section 14A - "HH" (Restricted Community Shopping and Commercial) District of Zoning By-law No. 6593, on the following basis:

- (a) That clause (c) of subsection 1 (i.e. Permitted Uses) of Section 14A of Zoning By-law No. 6593 be amended by adding the roman numeral "vii" after the word "clauses" in the first line thereof so it shall read as follows:

14 A (1)(c) "as provided in clauses vii, viii, ix, x, xi, xiv, xvi and xvii of subsection 1 of section 14."

- (b) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- (c) That the proposed zoning modification is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The purpose of the by-law is to provide a general amendment to the "HH" (Restricted Community Shopping and Commercial) District provisions of Zoning By-law No.6593. The by-law will add certain public uses (e.g. libraries, museums, art galleries, etc.) as permitted uses to the "HH" District and will facilitate the establishment of a public library branch at No. 695 Queenston Road.

5. That approval be given to **Zoning Application 83-33, by the Board of Education, owner**, to establish a change in zoning for the property bounded by Queen Street South, Robinson Street, Hess Street South and Duke Street, as shown on the attached plan marked as APPENDIX "C" on the following basis:
- (a) That the "DE-3" (Multiple Dwellings) District regulations as contained in Section 10C of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following variances as special requirements:
 - (i) That notwithstanding the provisions of Section 10C(2) of By-law No. 6593, no building shall exceed six storeys.
 - (ii) That notwithstanding the provisions of Section 10C(3) of By-law No. 6593, the following yards shall be provided:
 - 1. for all buildings or structures, a minimum front yard along Duke Street of 4.88 m;
 - 2. for all buildings or structures, a minimum side yard along Queen Street South and Hess Street South of 5.79 m and 4.26 m respectively; and
 - 3. for all buildings or structures, a minimum rear yard along Robinson Street of 4.26 m.
 - (b) That the proposed change in zoning is subject to endorsation by the Board of Education.
 - (c) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-828, and that the subject lands on Zoning District Map W-5 be notated S-828;
 - (d) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and to make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.

Explanatory Note - The purpose of the by-law is to provide for a modification to the zoning to permit the development of a 46-multiple-dwelling complex on lands bounded by Queen Street South, Robinson Street, Hess Street South and Duke Street, and known as the former Ryerson School site.

6. **City Initiative 83-G** - with reference to a request by the **City Solicitors' Department** to establish Site Plan Control of Parts 1, 2, and 3 of Survey Plan 62R-6397 as a 'term of sale' of City owned lands to Lang Foods Limited -

- (a) That By-law No. 79-275, establishing Site Plan Control be amended by adding to Schedule 'B', Parts 1, 2 and 3 of Survey Plan 62R-6397 as shown on the attached plan marked as APPENDIX "D";
- (b) That the City Solicitor be directed to prepare a by-law accordingly.

Explanatory Note - The purpose of the by-law is to establish Site Plan Control on Parts 1, 2 and 3 of Survey Plan 62R-6397 as a 'term of sale' of City owned lands to Lang Foods Limited.

7. With reference to Official Plan Amendment and Rezoning proposals for Homeside Neighbourhood as part of the implementation of the Neighbourhood Plan and the Kenilworth Avenue Study Area -

- (a) That approval be given to Official Plan Amendment No.4, as shown in Schedules "A" and "B" attached; and

- (i) That a policy be added to Section A.2.7 - Utility Uses - of the Official Plan as follows:

2.7.6 "Notwithstanding the permitted uses in Policy 2.7.1 above, additional uses may be permitted on the Hamilton Waterworks' Pipeline lands, where deemed by Council to be compatible with adjacent land uses, by agreement with the Region, and subject to the preparation of a Neighbourhood Plan for the affected lands."; and

- (ii) That a policy be added to Section A.2.9.3 - Policy Areas - of the Official Plan as follows:

A.2.9.3.16 "Notwithstanding the permitted uses set out in Subsection A.2.2, for those lands within the area shown on Schedule "B" as SPECIAL POLICY AREA 18, being both sides of Kenilworth Avenue between Britannia Avenue and Barton Street, car lots, automobile service stations, and car repair garages are prohibited. Further, the maximum height of any building or structure is limited to four storeys.

- (b) That the zoning be changed for the following areas, as shown in Schedule "C":

Area 1 -	From:	"K" (Heavy Industry, etc.) District
	To:	"J" (Light and Limited Heavy Industry, etc.) Modified to provide a 4.5-metre front yard for properties fronting onto Merchison Avenue and that they be placed under Site Plan Control;
Area 2 -	From:	"H" (Community Shopping and Commercial, etc.) District
	To:	"DE" (Low Density Multiple Dwellings) District;
Area 3 -	From:	"H" (Community Shopping and Commercial, etc.) District
	To:	"DE" (Low Density Multiple Dwellings) District

Area 4 -	From:	"H" (Community Shopping and Commercial, etc.) District
	To:	"DE" (Low Density Multiple Dwellings) District
Area 5 -	From:	"H" (Community Shopping and Commercial, etc.) District
	To:	"DE" (Low Density Multiple Dwellings) District
Area 6 -	From:	"H" (Community Shopping and Commercial, etc.) District
	To:	"C" (Urban Protected Residential) District
Area 7 -	From:	"H" (Community Shopping and Commercial, etc.) District
	To:	"C" (Urban Protected Residential) District
Area 8 -	From:	"H" (Community Shopping and Commercial, etc.) District
	To:	"C" (Urban Protected Residential) District
Area 9 -	From:	"H" (Community Shopping and Commercial, etc.) District
	To:	"C" (Urban Protected Residential) District
Area 10 -	From:	"H" (Community Shopping and Commercial, etc.) District
	To:	"H" (Modified to prohibit car lots, gas stations, and car repair garages with a height limitation of four storeys) District;
Area 11 -	From:	"K" (Heavy Industry etc.) District
	To:	"J" (Light and Limited Heavy Industry etc.) District

- (c) That the City Solicitor be authorized and directed to prepare the appropriate by-law to amend Zoning By-law No. 6593 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk; and
 - (d) That the proposed changes in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No. 4
8. That the City Solicitor be authorized and directed to prepare a By-law to rescind By-law No. 83-44 dated January 26, 1983, which was prepared for the demolition of the garage at **No. 297 Charlton Avenue West**, and removal of the demolition debris and level the lands, pursuant to Subsection 21 of Section 43 of The Planning Act, R.S.O. 1980 Chapter 379.
 9. That the City Solicitor be authorized and directed to prepare a By-law to repeal By-law No. 83-45 dated January 26th, 1983, which was prepared for the demolition of the building and the clearing of lands at **No. 190 Cavell Avenue** pursuant to Subsection 21 of Section 43 of The Planning Act, R.S.O. 1980, Chapter 379.

10. That the substandard dwelling located at **No. 15 Woodleigh Avenue** be demolished and that the property be disposed of, as a vacant lot. Further, that any net profit that is realized from the sale of the said property be paid to Mr. and Mrs. L. M. Day. Also, that the method of financing the demolition of subject structure be referred to the Finance Committee for consideration.
11. That the City Solicitor be directed to execute, deliver and register on title, a quit claim deed, releasing all City claims to the land at **No. 17-19 Wood Street East** sold to Antonia DeRubeis in 1975. This is to remove all construction covenants placed on the land as a condition of the original sale to DeRubeis, thereby releasing all City claims to the land.
12. That the **Downtown Action Plan**, refined by the Downtown Action Plan Co-ordinating Committee be approved, subject to the Co-ordinating Committee meeting with representatives of the United Council of Veterans to finalize negotiations in respect of the design of the Cenotaph Area, and

That the Finance Committee recommend the method of financing the Downtown Action Plan in the amount of \$2,813,866.00.

13. The **Gore Park Area of the Downtown Action Plan** has been designed to include, among many other features, a transit mall with bus shelters. The Gore Area currently serves as a main interchange point for bus routes from all directions within the City. In order to provide a total people-oriented environment, the Planning and Development Committee respectfully recommends that the Regional Municipality of Hamilton-Wentworth be requested to explore the possibility of removing all buses from the south side of Gore Park, by utilizing adjacent streets to perform the same functions, for example, John, Rebecca and James Streets.
14. That the following list of applicants be submitted to City Council for approval authorizing the Department of Community Development to process grants and/or loans in an amount not to exceed \$7,500. The actual amount of grant or loan to be determined by inspection of the property under The Property Standards By-law No. 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under The Housing Development Act for the Ontario Home Renewal Programme (O.H.R.P.) Or, pursuant to By-law No. 78-113 for the Hamilton Rehabilitation Programme (H.A.R.P.).

That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Hamilton Rehabilitation Programme.

Hamilton Rehabilitation Programme

S. Ramjit
16 Delaware Avenue

Ontario Home Renewal Programme

J. Kata
16 Elm Street

J. McRae
93 Mohawk Road West

G. Salisbury
48 Houghton Avenue North

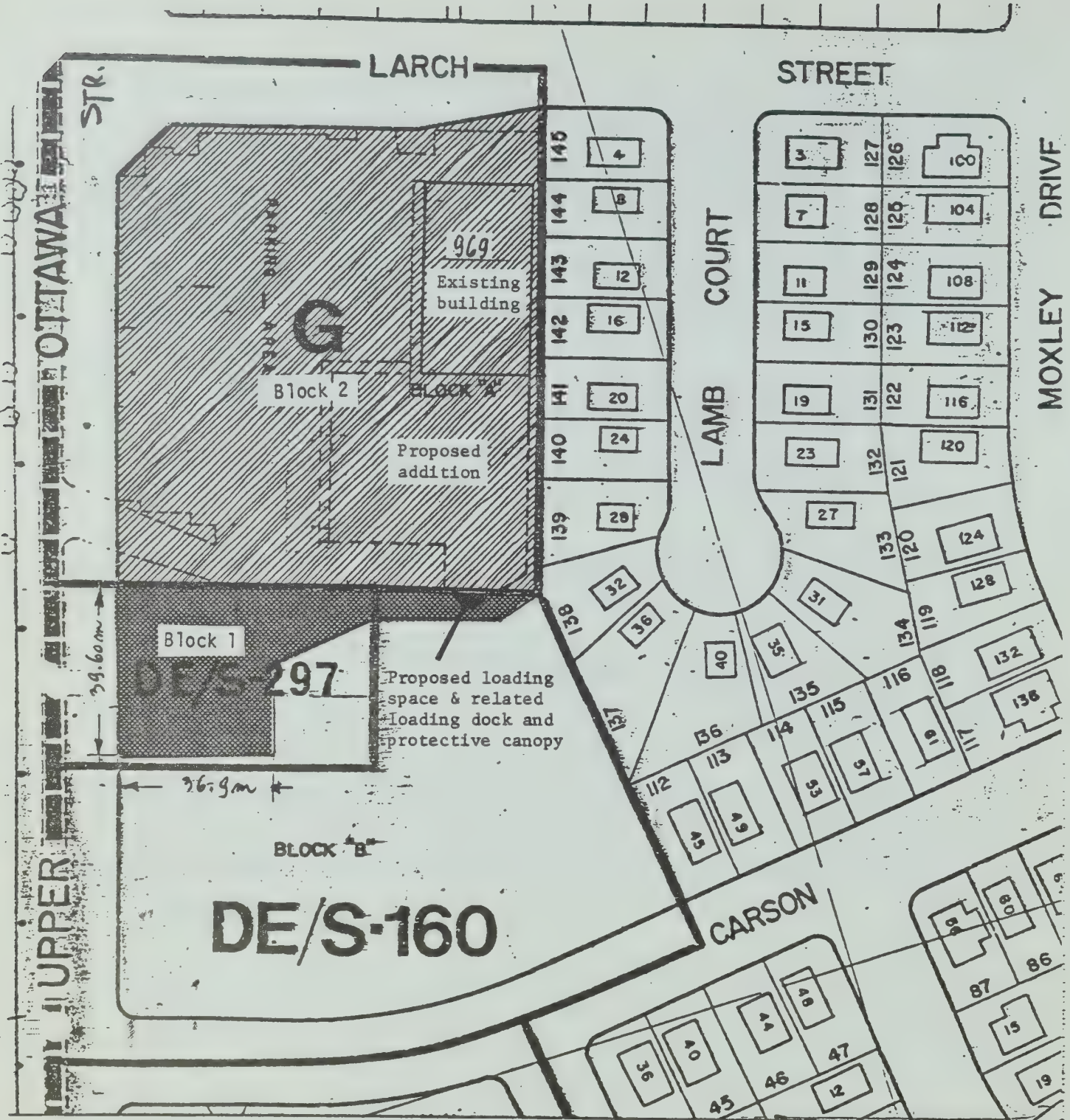
15. That leave be granted to introduce the following Bills:-

- (a) Bill D-64 - By-law to Amend Zoning By-law No. 75-61, as Amended by By-law No. 75-175, respecting land located at Municipal No.16 Wellington Street North
- (b) Bill D-65 - By-law to Appoint a Chief Planning Officer
- (c) Bill D-66 - By-law to Authorize Demolition and Clearing of Buildings, Structures, Debris or Refuse at Municipal Nos. 308-310 Beach Boulevard
- (d) Bill D-67 - By-law to Authorize Demolition and Clearing of Buildings, Structures, Debris or Refuse at Municipal No. 65 Beach Road
- (e) Bill D-68 - By-law to Amend Zoning By-law No. 6593 respecting lands located in the area east of Greencedar Drive, being the future extension of Golfwood Drive
- (f) Bill D-69 - By-law to Amend Zoning By-law No. 77-261 as Amended by By-law No. 78-222 respecting land located in the area south of King Street East and west of Centennial Parkway
- (g) Bill D-70 - By-law to Amend Zoning By-law No. 6593 respecting land located at Municipal No. 331 Queen Street South
- (h) Bill D-71 - By-law to Amend Zoning By-law No. 6593 respecting land located on the north side of Rymal Road East and west of Upper Ottawa Street
- (i) Bill D-72 - By-law to Establish Site Plan Control respecting land located on the north side of Rymal Road East and west of Upper Ottawa Street
- (j) Bill D-73 - By-law to Amend Zoning By-law No. 6593 respecting Public Uses

Respectfully submitted

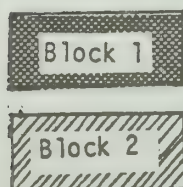
JDT:bg
April 13, 1983

Alderman W. M. McCulloch
Chairman



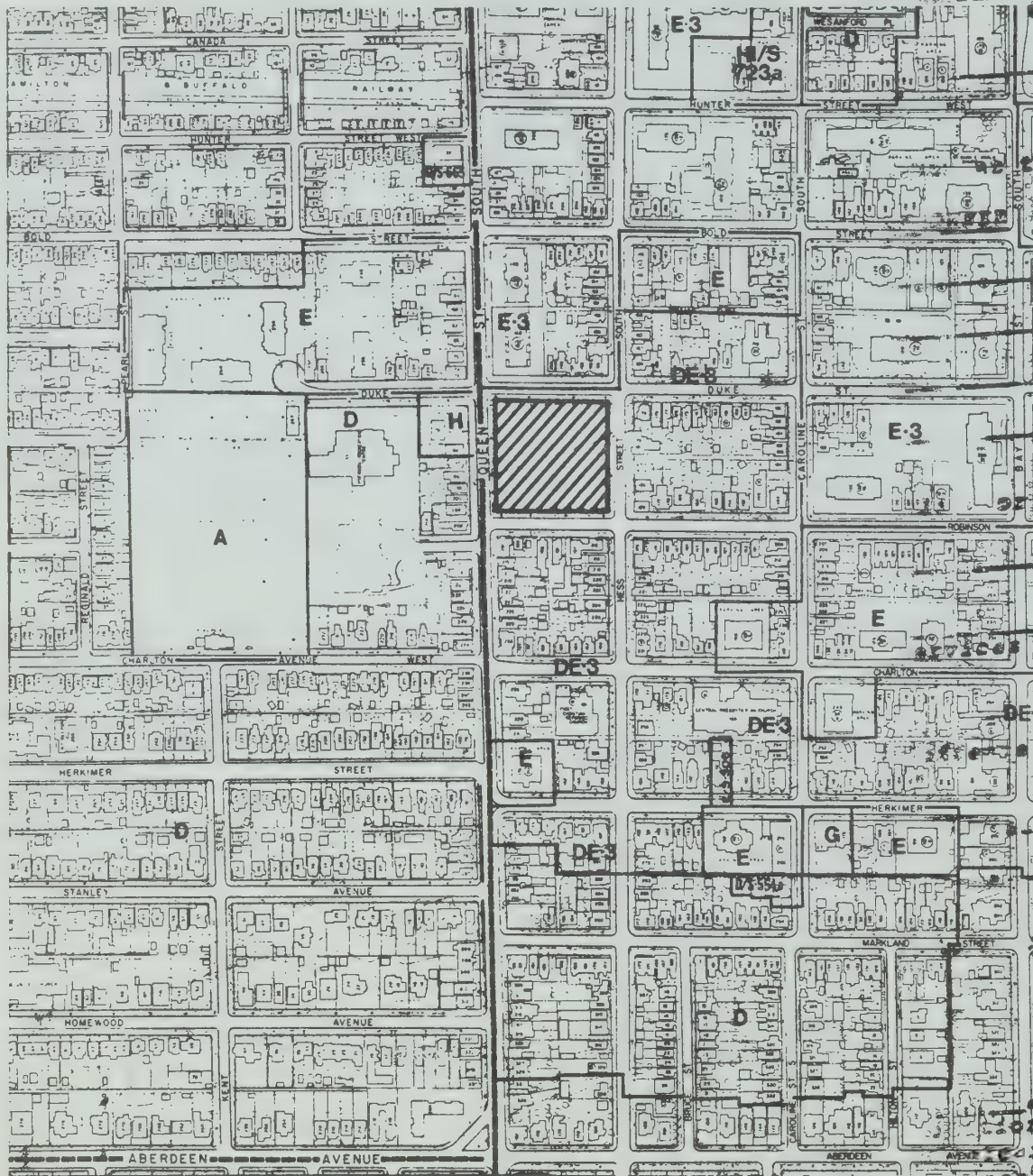
LEGEND

DA 82-61
ZA 82-34



Change in zoning from "DE" (Low Density Multiple Dwellings) District to "G-3" (Public Parking Lots) District. (As approved by Council on October 26, 1982)

Location of Plaza at No. 969 Upper Ottawa Street to permit a 0.0 m rear yard on the southerly district boundary line. (As approved by Council on February 23, 1983.)



KIRKENDALE NORTH NEIGHBOURHOOD No. 92

DURAND NEIGHBOURHOOD No. 93

SCHEDULE "A" to ZA 83-33

PLAN SHOWING
LANDS SUBJECT TO

**SITE PLAN CONTROL
APPLICATION DA-83-01**

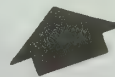
Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



SITE OF THE APPLICATION

North



Scale

1 : 5000

Date

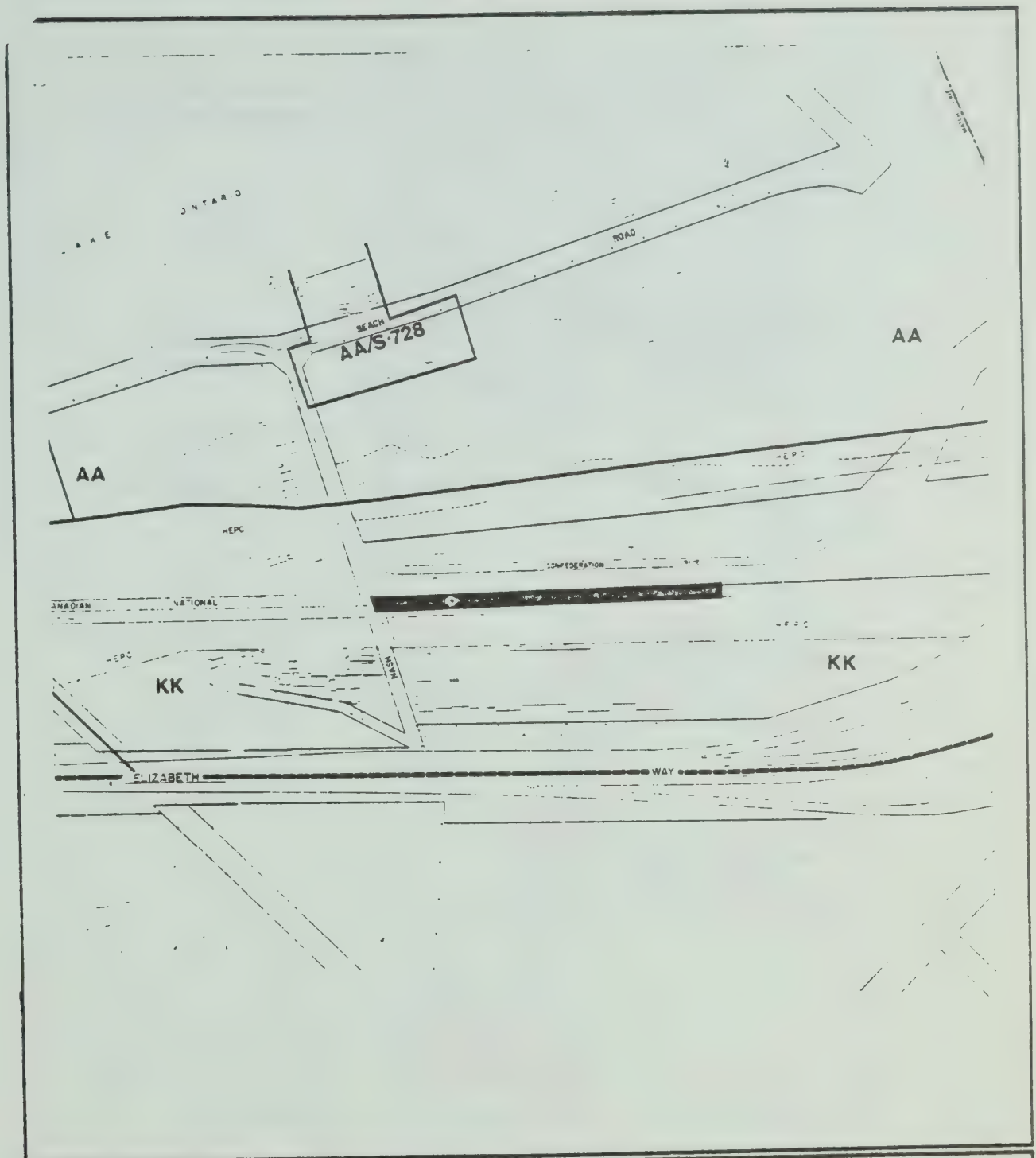
January 1983

Reference File No.

DA-83-01

Drawing No.

83-H-1



PLAN SHOWING
LANDS SUBJECT TO

SITE PLAN CONTROL
BY-LAW No.79-275 Schedule 'B'

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



SUBJECT LANDS

North



Scale
1:5000

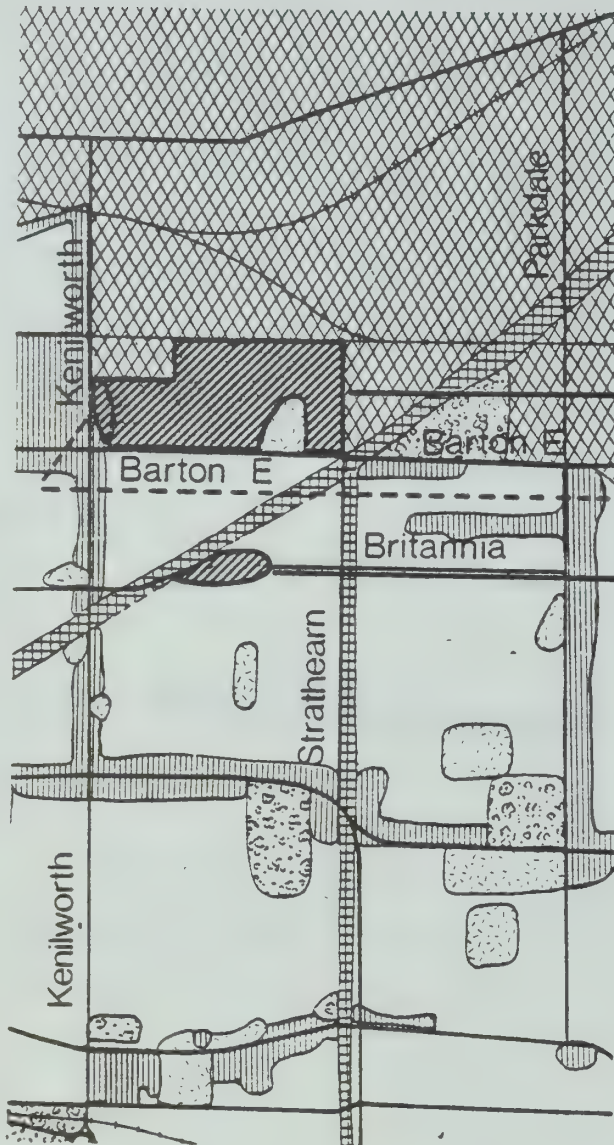
Date
April 1983

Reference File No.
C1-83

Drawing No.
83-H-37

RECOMMENDED OFFICIAL PLAN AMENDMENTS
HOMESIDE NEIGHBOURHOOD PLAN

Subject of Official Plan
Amendment No. 1



Change from Industrial to Residential

Change from Industrial to Commercial

Change from Commercial to Residential

Land Use

	RESIDENTIAL		INDUSTRIAL		MAJOR INSTITUTIONAL
	COMMERCIAL		OPEN SPACE		UTILITIES

Clerk

Mayor

Excerpt of
SCHEDULE "A"

TO THE OFFICIAL PLAN FOR
THE CITY OF HAMILTON

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

North



Scale
1:20,000

Reference File No.

Date
December, 1982

Drawing No.
82-H-149

Recommended Official Plan
Amendment,
Homestead Neighbourhood Plan
special policy
areas

legend



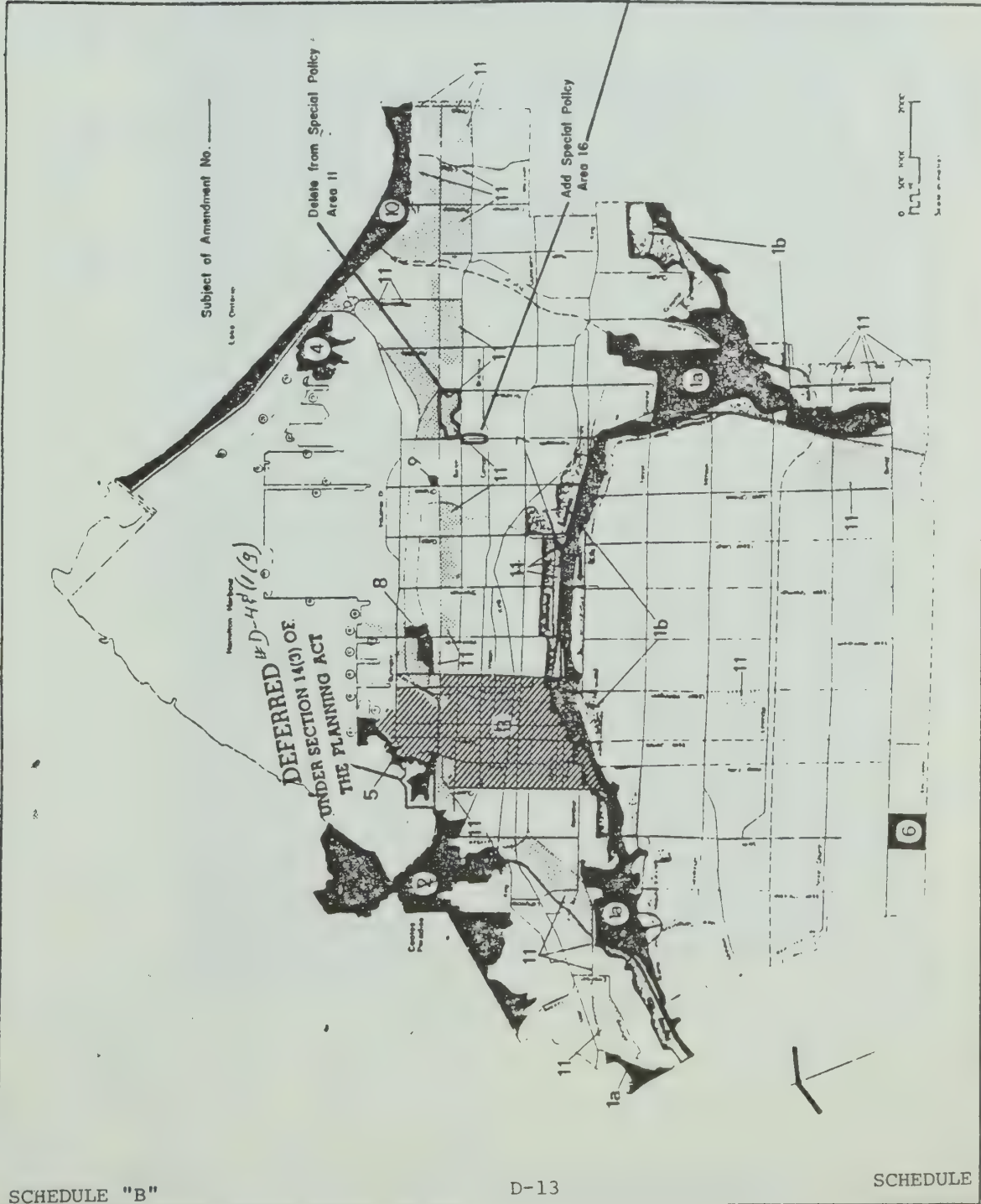
Area 1 (a) refer to Subsection A 2 9 1	
Area 1 (b) " " " A 2 9 1	
Area 2 " " " A 2 9 2	
Area 3 " " " A 2 9 3, policy	
	2 9 3 1
Area 4 " " Policy 2 9 3 2	
Area 5 " " 2 9 3 3	
Area 6 " " 2 9 3 4	
Area 7 " " 2 9 3 5	
Area 8 " " 2 9 3 6	
Area 9 " " 2 9 3 7	
Area 10 " " 2 9 3 8 "	
Area 11 " " 2 9 3 9	
Area 16 " " 2 9 3 14	

Refer to Schedule B-1 for Special
Policy Areas in the Downtown

schedule B

to the official plan
for
the city of hamilton

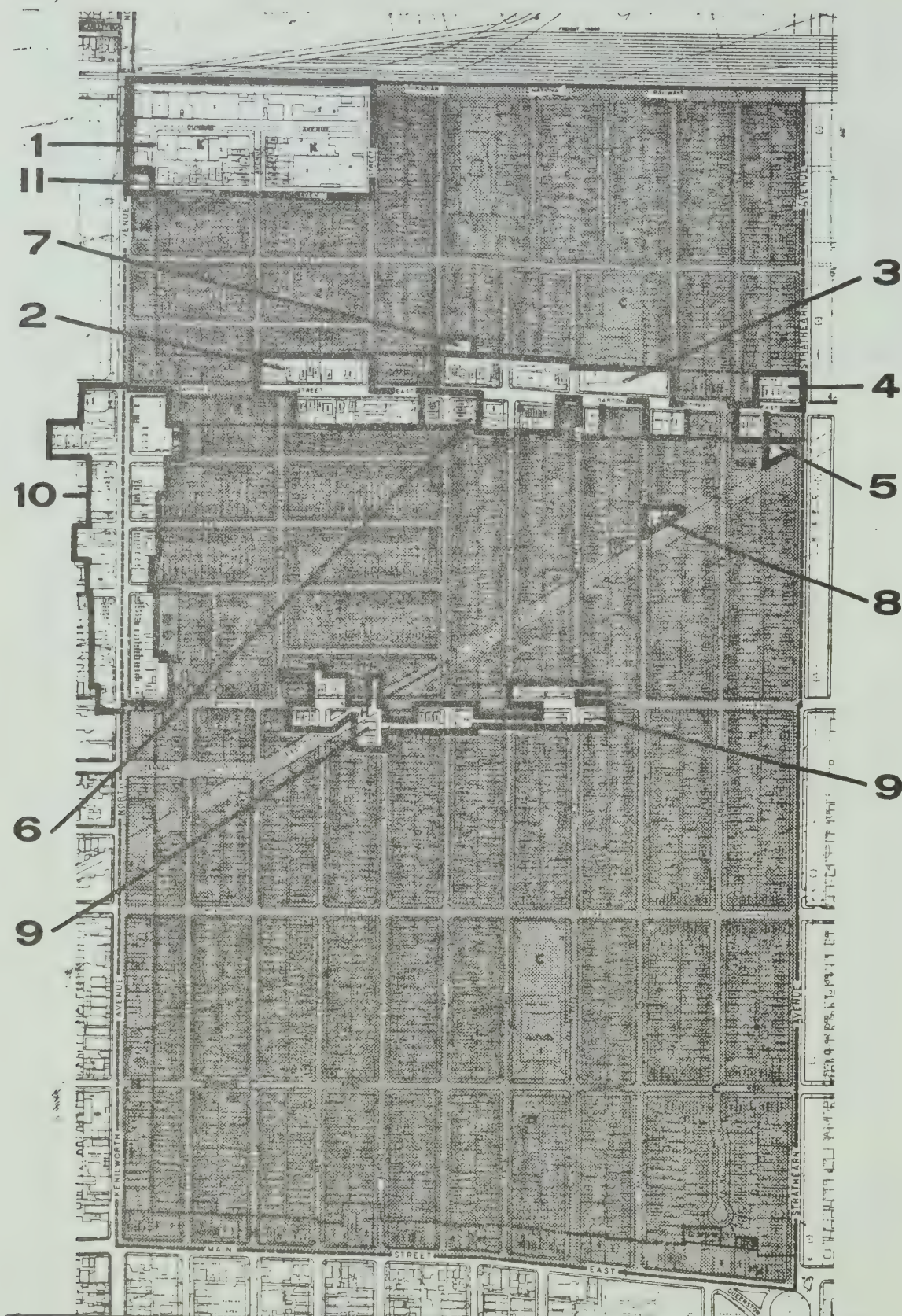
may 1982



SCHEDULE "B"

D-13

SCHEDULE "B"



SCHEDULE
"C"

Recommended	Change
1	FROM "K" TO "J" MODIFIED
2	FROM "H" TO "DE"
3	FROM "H" TO "DE"
4	FROM "H" TO "DE"
5	FROM "H" TO "DE"
6	FROM "H" TO "C"
7	FROM "H" TO "C"
8	FROM "H" TO "C"
9	FROM "H" TO "C"
10	FROM "H" TO "H" MODIFIED
11	FROM "K" TO "J"

Rezoning Proposals
"C" Residential (Single Family)
"DE" Low Density Multiple Dwelling
"H" Commercial
"J" Light and Limited Heavy Industrial

D-14

CITY OF HAMILTON
HOMESIDE and KENILWORTH
AVENUE STUDY AREA

Scale: 1:5000

Planning and Development Department
Hamilton - Westworth Region

SCHEDULE
"C"

E

REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its **ELEVENTH** Report for 1983 and respectfully recommends:

GRANTS

1. That a grant in the amount of \$1,500.00 be made to the Bishop Ryan Assembly of the Knights of Columbus in Hamilton to be used to assist in defraying expenses to be incurred in staging and hosting the 1983 Exemplification for the Cardinal McGuigan Province District Two to be held at the Hamilton Convention Centre June 3 - 5, 1983. Estimated attendance - 1,000 delegates.
2. That a grant in the amount of \$1,000.00 be made to the Polish Alliance of Canada, Branch No.247 of Canada, Hamilton, to be used to assist in defraying expenses to be incurred in staging and hosting the Polish Alliance of Canada Convention to be held in the City of Hamilton October 8, 9 and 10, 1983. Estimated attendance - 500 delegates from across Canada.
3. That **no action** be taken on the application for grant from Mr. Frank Lilliman, St. Margaret Mary Volleyball Club, for financial assistance in defraying expenses incurred in participating in volleyball tournaments in Nova Scotia in February and March, 1983.
4. That **no action** be taken on the application for grant from Mr. Ken Kerr, Executive Director, Ontario Table Tennis Association, for financial assistance to meet the expenses incurred by Miss Daiva Koperski, of Hamilton, in participating in the National Junior Championship Table Tennis Meet which was held in British Columbia April 1 - 4, 1983.

LEGISLATION

5. That the City Solicitor be authorized and directed to prepare a by-law to amend the Adult Entertainment Parlours By-law No. 79-144, in order to require that no burlesque entertainer shall in any adult entertainment parlour licensed under the Liquor Licence Act, provide services except while wearing opaque clothing fully covering such person's pubic area.

6. As recommended by the Hamilton Wentworth Regional Health Unit, that the City Solicitor be authorized and directed to prepare a by-law to amend Sections 201, 408(d), 409(e) and 709A of the City of Hamilton Health By-law No. 4798, in order to permit the occupancy of a basement or cellar as a habitable room.
7. That City Council seek the concurrence of Regional Council in the adoption of a policy whereby City Council or Regional Council and their respective committees will not call a special meeting at the same time as a regularly scheduled meeting of a standing committee of City or Regional Council.
8. That the "Hamilton Beach Preservation Committee" be granted permission to use the word "Hamilton" as part of their official name.
9. (a) That the 96 property owners who appealed their 1982 realty taxes under Section 496 of the Municipal Act, on the grounds of having installed urea formaldehyde foam insulation in their homes, have their 1982 property taxes reduced in accordance with a formula based on 75% assessment reduction on the residence portion of the property only, for the 1982 taxation year only.

(b) That the City Treasurer and Finance Committee be requested to determine the amount of reduction in 1982 realty taxes as a result of granting a tax reduction due to homes being insulated with urea formaldehyde foam and appeal to the federal and/or provincial governments for reimbursements of the amount of the 1982 realty taxes reduced under Section 496 of The Municipal Act due to the homes being insulated with urea formaldehyde foam.
10. That the City of Hamilton Licensing By-law No. 79-323, Schedule 5, Cartage Vehicles, be amended in such a manner that no cartage licences be issued to dump truck type vehicles. This moratorium is to be effect until May 31, 1983.

Explanatory Note - The purpose of this moratorium is to give the Licensing Committee and representatives of the industry an opportunity to consider changes to the Licensing By-law. It is anticipated that these changes will be brought to the Legislation Committee for consideration during the period of the moratorium.

11. That leave be granted to introduce the following Bills:
 - (a) Bill E-16 - By-law to confirm proceedings of the Council of the Corporation of the City of Hamilton

Respectfully recommended,

April 19, 1983
JDT:bg

Alderman V. J. Agro, Chairman
Legislation Committee

REPORT OF THE PERSONNEL COMMITTEE

To the Council of The Corporation of the City of Hamilton

Members of Council:

The Personnel Committee presents its **SEVENTH** Report for 1983 and respectfully recommends:

1. That the following reclassifications be approved for senior positions at the Hamilton Convention Centre , as per the Thorne Stevenson & Kellogg Survey:
 - (a) That the position of Catering Manager be reclassified to Salary Schedule 110, \$37,500.00, \$39,500.00, \$41,300.00, \$43,200.00, \$45,000.00 per annum, and that the present incumbent, Mr. Stephen Dockman, presently paid \$36,905.00 per annum, be paid \$41,300.00 per annum, effective January 1, 1983.
 - (b) That the position of Director of Finance be reclassified to Salary Schedule 110, \$37,500.00, \$39,500.00, \$41,300.00, \$43,200.00, \$45,000.00 per annum, and that the present incumbent, Mr. John Leuser, presently paid \$35,315.00 per annum, be paid \$39,500.00 per annum, effective January 1, 1983.
 - (c) That the position of Executive Chef, be reclassified to Salary Schedule 110, \$37,500.00, \$39,500.00, \$41,300.00, \$43,200.00, \$45,000.00 per annum, and that the present incumbent, Mr. Michael Ois, presently paid \$35,000.00 per annum, be paid \$41,300.00 per annum, effective January 1, 1983.
2. Approval of the Appointments and Terminations in permanent and temporary service with The Corporation to April 20, 1983, as set out on the list appended hereto.

RESPECTFULLY SUBMITTED,

ALDERMAN P. COWELL,
CHAIRMAN.

K. E. Avery, Secretary,
April 20, 1983.

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN PERMANENT SERVICE

REFERRED TO IN SECTION 2 OF THE SEVENTH
REPORT OF THE PERSONNEL COMMITTEE.

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. George Baker	District Chief	Fire	replacement for John Fitzpatrick - promoted	C-11	\$39,777.61 per annum	March 30/83
Mr. Ernest Blundell	Captain	Fire	replacement for J. Roy Boyd - retired	C-8	\$36,665.37 per annum	March 30/83
Mrs. Karen Grywacheski	Typist Clerk II	Treasury	replacement for Paula Luciani - promoted	E-2	\$254.56 per week	March 28/83
Mr. Augustino Maniaci	Maintenance Foreman (Cemeteries)	Cemetery Division of Public Works	replacement for Patrick Healy - retired	12C	\$22,251.84 per annum	March 28/83
Mr. Eugene McCarthy	Truck Driver & Labourer	Public Works	replacement for Richard Parchem - retired	D-7 & D-5	\$9,410 & \$9,300 per hour	March 28/83
Mr. Glen Peace	Captain	Fire	replacement for James L. McEntee - retired	C-8	\$36,665.37 per annum	March 30/83
Mr. Clyde White	Labourer	Cemetery Division of Public Works	reclassification as per his request	D-5	\$9,300 per hour	March 21/83
Mr. Vincenzo Zingaro	Concrete Finisher & Labourer	Public Works	replacement for Frank Gatto - retired	D-8 & D-5	\$9,460 & \$9,300 per hour	March 28/83

April 20, 1983

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN PERMANENT SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Kevin Barker	Labourer	Parks Division of Public Works	returning to permanent position (was working as temporary Rink Attendant in Dept. of Culture and Recreation for winter season)	D-5	\$9,300 per hour	March 28/83
Mr. Robert Carmichael	Labourer	Parks Division of Public Works	returning to permanent position (was working as temporary Rink Attendant in Dept. of Culture and Recreation for winter season)	D-5	\$9,300 per hour	March 28/83
Mr. Luigi Cialini	Labourer	Parks Division of Public Works	returning to permanent position (was working as temporary Rink Attendant in Dept. of Culture and Recreation for winter season)	D-5	\$9,300 per hour	March 28/83
Mr. Paul Court	Labourer	Parks Division of Public Works	returning to permanent position (was working as temporary Rink Attendant in Dept. of Culture and Recreation for winter season)	D-5	\$9,300 per hour	March 28/83
Mr. James Dean	Labourer	Parks Division of Public Works	returning to permanent position (was working as temporary Rink Attendant in Dept. of Culture and Recreation for winter season)	D-5	\$9,300 per hour	March 28/83

April 20, 1983

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN PERMANENT SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. William Deeley	Labourer	Parks Division of Public Works	returning to permanent position (was working as temporary Rink Attendant in Dept. of Culture and Recreation for winter season)	D-5	\$9,300 per hour	March 28/83
Mr. Domenico Domenicone	Labourer	Parks Division of Public Works	returning to permanent position (was working as temporary Rink Attendant in Dept. of Culture and Recreation for winter season)	D-5	\$9,300 per hour	March 28/83
Mr. James Fair	Labourer	Parks Division of Public Works	returning to permanent position (was working as temporary Rink Attendant in Dept. of Culture and Recreation for winter season)	D-5	\$9,300 per hour	March 28/83
Mr. Morris Felicetti	Labourer	Cemetery Division of Public Works	returning to permanent position (was working as temporary Rink Attendant in Dept. of Culture and Recreation for winter season)	D-5	\$9,300 per hour	March 28/83
Mr. Henry Hines	Labourer	Parks Division of Public Works	returning to permanent position (was working as temporary Rink Attendant in Dept. of Culture and Recreation for winter season)	D-5	\$9,300 per hour	March 28/83

April 20, 1983

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN PERMANENT SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Mark Holland	Labourer	Parks Division of Public Works	returning to permanent position (was working as temporary Rink Attendant in Dept. of Culture and Recreation for winter season)	D-5	\$9.300 per hour	March 28/83
Mr. Michael Holmes	Labourer	Cemetery Division of Public Works	returning to permanent position (was working as temporary Rink Attendant in Dept. of Culture and Recreation for winter season)	D-5	\$9.300 per hour	March 28/83
Mr. Milorad Josic	Labourer	Cemetery Division of Public Works	returning to permanent position (was working as temporary Rink Attendant in Dept. of Culture and Recreation for winter season)	D-5	\$9.300 per hour	March 28/83
Mr. James Keenan	Labourer	Parks Division of Public Works	returning to permanent position (was working as temporary Rink Attendant in Dept. of Culture and Recreation for winter season)	D-5	\$9.300 per hour	March 28/83
Mr. Sam Licata	Labourer	Cemetery Division of Public Works	returning to permanent position (was working as temporary Rink Attendant in Dept. of Culture and Recreation for winter season)	D-5	\$9.300 per hour	March 28/83

April 20, 1983

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN PERMANENT SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. David Michor	Labourer	Parks Division of Public Works	returning to permanent position (was working as temporary Rink Attendant in Dept. of Culture and Recreation for winter season)	D-5	\$9.300 per hour	March 28/83
Mr. Robert Morton	Labourer	Cemetery Division of Public Works	returning to permanent position (was working as temporary Rink Attendant in Dept. of Culture and Recreation for winter season)	D-5	\$9.300 per hour	March 28/83
Mr. John Mule	Labourer	Parks Division of Public Works	returning to permanent position (was working as temporary Rink Attendant in Dept. of Culture and Recreation for winter season)	D-5	\$9.300 per hour	March 28/83
Mr. Tennessee Propedo	Labourer	Parks Division of Public Works	returning to permanent position (was working as temporary Rink Attendant in Dept. of Culture and Recreation for winter season)	D-5	\$9.300 per hour	March 28/83
Mr. Bert Szucs	Labourer	Cemetery Division of Public Works	returning to permanent position (was working as temporary Rink Attendant in Dept. of Culture and Recreation for winter season)	D-5	\$9.300 per hour	April 6/83

April 20, 1983

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN PERMANENT SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Raymond Vallier	Labourer	Parks Division of Public Works	returning to permanent position (was working as temporary Rink Attendant in Dept. of Culture and Recreation for winter season)	D-5	\$9,300 per hour	March 28/83
Mr. Terry Verge	Labourer	Public Works	returning to permanent position (was working as temporary Rink Attendant in Dept. of Culture and Recreation for winter season)	D-5	\$9,300 per hour	March 28/83
Mr. John Willard	Labourer	Cemetery Division of Public Works	returning to permanent position (was working as temporary Rink Attendant in Dept. of Culture and Recreation for winter season)	D-5	\$9,300 per hour	March 28/83

April 20, 1983

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Robert Allan	Maintenance Man	Parking Authority	resigned	1 year & 1 month	April 8/83
Mr. Gennaro Filice	Concrete Finisher & Labourer	Public Works	retirement	17 years & 1 month	April 29/83
Mr. Weldon Orr	By-law Enforcement Constable	Traffic	retirement	18 years & 8 months	March 31/83

April 20, 1983

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Bruce Hope	Street Sweeper Operator, Flusher Driver, Truck Driver & Labourer (temporary)	Public Works	replacement for Eugene McCarthy - transferred	D-9, D-7, D-5 & D-4A	\$9,510, \$9,410, \$9,300 & \$9,130 per hour	April 4/83
Mr. Roger Male	Red Cross Instructor (temp./part-time)	Culture and Recreation	seasonal staff	n/a	\$4,000 per hour	Sept. 20/82
Mr. Francesco Schiavulli	Carpenter (temporary)	Public Works	temporary additional staff	D-15	\$10,880 per hour	March 31/83
Mr. William Whyte	Street Sweeper Operator, Flusher Driver, Truck Driver & Labourer (temporary)	Public Works	replacement for Thomas Coady - transferred*	D-9, D-7, D-5 & D-4A	\$9,510, \$9,410, \$9,300 & \$9,130 per hour	April 4/83
Mrs. Toby Yull	Community Renewal Officer (temporary)	Community Development	replacement for Jayne Tollefsen - maternity leave	A-9	\$400.66 per week	March 31/83

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Steven Begley	Monitor (temp./part-time)	Culture and Recreation	termination	2 months	Feb. 15/83
Mrs. Virginia Currie	Cashier (temp./part-time)	Culture and Recreation	resignation	9 months	March 24/83
Mr. William Whyte	Rink Attendant (temporary)	Culture and Recreation	termination	2 weeks	March 27/83

April 20, 1983

REPORT OF THE SPECIAL HARBOUR COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Special Harbour Committee presents its THIRD Report.

1. City Council, at its meeting held August 27, 1982, in adopting the Second Report of the Special Harbour Committee, approved of a list of questions that were to be asked of the Hamilton Harbour Commissioners, the answers to which would assist in determining the amount of surplus profits, if any, that exist from the operation of the Hamilton Harbour.

Peat, Marwick, Mitchell & Co., Chartered Accountants, the firm retained by the City to assist in this determination, have indicated that three of the questions were not answered by the Hamilton Harbour Commissioners in their reply of September 22, 1982.

The Committee recommends that these three questions, set out below, be put to the Hamilton Harbour Commissioners:

- (i) Footnote 3 of the December 31, 1981 financial statements of the Hamilton Harbour Commissioners states that in 1981 the Commissioners approved a five-year budget of \$13.4 million for capital expenditures. The City wishes to know the proportion of these capital expenditures which will be borne by the Hamilton Harbour Commissioners and what proportion will be borne by other parties, e.g., the Federal Government.
 - (ii) The City requires a copy of the feasibility studies, financial forecasts and economic studies used to justify the proposed capital expenditures of \$13.4 million showing the effect the expenditures will have on net income (excess of revenues over expenses) and cash flows.
 - (iii) The City requires a statement on the procedure followed by the Commissioners in approving capital expenditures indicating the stage at which approval takes place, e.g., when the project has been designed; when the project has been put out to construction companies for tender and estimates been received, when a signed contract is made.
2. The Committee recommends payment of an account in the amount of \$10,328.00 for services rendered by Peat, Marwick, Mitchell & Co., Chartered Accountants, during the period June 29, 1982 to November 1, 1982, in assisting the City in determining the amount of surplus profits, if any, of the Hamilton Harbour Commissioners. The Finance Committee be requested to recommend the method of financing this payment.

Respectfully submitted,

ALDERMAN H. MERLING,
CHAIRMAN.

April 8, 1983.

URBAN MUNICIPAL
BULLETIN
BOARD

Bill No, A-24

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.

To Authorize:

1. The construction of local improvements on an independent concrete sidewalk on the north side of Fennell Avenue West, as described in Schedule "A";
2. The special assessment to pay a portion of the cost, upon petition made under Section 11 of The Local Improvement Act;
3. The preparation of plans, specifications and reports and the supervision of the construction by the Commissioner of Regional Engineering.

WHEREAS a petition has been received to construct as local improvements the works hereinafter described;

AND WHEREAS the City Clerk has certified as to the sufficiency of the said petition;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 13 of the 1st Report of the Finance Committee and Item 11 of the 1st Report of the Transport and Environment Committee, both on the 14th day of December, 1982;

AND WHEREAS the Council has procured to be made reports, estimates and statements for the undertaking of the said works;

AND WHEREAS the Ontario Municipal Board did on the 25th day of February, 1983, issue Order No. E 830009 approving the application of The Corporation of the City of Hamilton for:

- (a) the construction of an independent concrete sidewalk on the north side of Fennell Avenue West; and
- (b) the issue by The Regional Municipality of Hamilton-Wentworth of debentures in the sum of \$ 1,600.00 for the purpose.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$ 1,600.00.
2. The share or portion of the estimated cost of the works in the amount of \$ 610.00 to be borne by the lands abutting directly on the works and the estimated cost per metre to be rated shall be as set out in Schedule "A", provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.
3. Pending payment of the share or portion of the total cost referred to in section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth:

- (a) to the extent sufficient to provide an amount not exceeding \$1,600.00; and
- (b) repayable over a term not exceeding fifteen (15) years, chargeable to The Corporation of the City of Hamilton.

4. The Commissioner of Regional Engineering is hereby authorized to:

- (a) prepare all necessary plans, specifications and reports required for the construction of the works; and
- (b) supervise construction of the works.

5. The Mayor and City Clerk are hereby authorized to execute on behalf of The Corporation of the City of Hamilton all contracts necessary for the construction of the works.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1982) 1 R.F.C. 13, December 14

(1982) 1 R.T.E.C. 11, December 14

SCHEDULE "A"

The construction of an independent concrete sidewalk on the north side of Fennell Avenue West from approximately 33 metres west of West 2nd Street to approximately 15 metres westerly, at the costs and charges not exceeding those set out below:

City's Share	\$ 990.00
Owners' Share	<u>610.00</u>
	<u>\$1,600.00</u>

Estimated Cost per metre frontage: \$40.00
Fifteen (15) annual instalments

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 83 -

To Widen Emerald Street, east side, King to
King William Street

WHEREAS the Council of The Corporation of the
City of Hamilton is empowered under Section 298 of
The Municipal Act, R.S.O. 1980, Chapter 302 and amendments
thereto to establish and lay out, widen, alter, divert,
stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of
the City of Hamilton deems it expedient to widen
a portion of the highway known as Emerald Street
by incorporating within its limits the lands described in
Schedule "A" hereto;

AND WHEREAS the said lands are owned by The
Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of
the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended
hereto are hereby established and laid out as public
highway to form part of Emerald Street
2. The Commissioner of Regional Engineering or his
duly authorized agent is hereby authorized to open as public
highway the said lands.

PASSED this day of A.D. 19

City Clerk

Mayor

(1983) 7 R.T.E.C. 27, March 29, 1983

SCHEDULE "A"

All and singular those certain parcels or tracts of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Lots 1, 7 and 9 according to William B. Hunter Survey, registered in the Land Registry Office for the Registry Division of Wentworth as Plan No. 185, and which said parcels may be more particularly described as all of Part 1 according to a Reference Plan received and deposited in the said Land Registry Office on October 17th, 1974, as Plan 62R-2006, and all of Part 2 according to a Reference Plan received and deposited in the Land Titles Division of the said Land Registry Office on June 8th, 1976 as Plan 62R-3034.

Part 1 being composed of part of Lot 9 and Part 2 being composed of part of Lots 1, 7 and 9.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 83 -

TO ESTABLISH LEANDER DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS paragraph 105 of Section 210 of The Municipal Act, R.S.O. 1980, Chapter 302, provides that the council of a municipality may pass by-laws for giving names to highways;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to establish as a highway to be known as Leander Drive, the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway and named Leander Drive.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 5 R.T.E.C. 12, February 22

SCHEDULE "A"

ALL AND SINGULAR those certain parcels or tracts of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Lots 5 to 14 (both inclusive), in Block 40, according to Sir A. N. MacNab Survey, registered in the Land Registry Office for the Registry Division of Wentworth as Plan No. 127, and part of the lands formerly covered by water in front of the said Lots 8 to 14 (both inclusive), in Block 40, according to the said Sir A. N. MacNab Survey, and which said parcels may be more particularly described as all of Part 1 (being part of the lands formerly covered by water in front of Lots 13 & 14), all of Part 2 (being part of Lots 5, 6, 7 & 8 and part of the lands formerly covered by water in front of Lots 8 to 14 inclusive) and all of Part 3 (being part of Lots 6 to 14 inclusive and part of the lands covered by water in front of Lots 8 to 14 inclusive), all according to a Reference Plan received and deposited in the Land Registry Office for the Registry Division of Wentworth on November 12th, 1982, as Plan 62R-6464.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 83 -

TO WIDEN AND EXTEND ELMORE DRIVE BY
INCORPORATING PART OF 1' RESERVE,
BLOCK 'J', PLAN M-279 THEREIN

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to widen and extend a portion of the highway known as Elmore Drive by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Elmore Drive.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 19

City Clerk

Mayor

(1983) 4 R.T.E.C. 7, February 8

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Block 'J', according to Eleanor Gardens, Phase 3, filed in the Land Titles Division of the Land Registry Office for the Registry Division of Wentworth as Plan M-279 and which said parcel may be more particularly described as follows:-

PREMISING that all bearings herein are astronomic and are referred to the southern limit of Elmbank Street on a course of North Seventy-One Degrees, Thirty-One Minutes, Fifty Seconds West ($N 71^{\circ} 31' 50'' W$) as shown on Mentino Estates, Phase 2, filed in the said Land Registry Office as Plan 62M-332;

THENCE North Sixteen Degrees, Thirty-Two Minutes, Thirty Seconds East ($N 16^{\circ} 32' 30'' E$) along the production northerly of the eastern limit of Lot 1, according to the said Mentino Estates, Phase 2, Zero point Three Zero Five Metres (0.305 m) more or less to the northern limit of the said Block 'J';

THENCE South Seventy-One Degrees, Thirty-One Minutes, Fifty Seconds East ($S 71^{\circ} 31' 50'' E$) along a northern limit of the said Block 'J', Nineteen point Eight Two Four Metres (19.824 m) to an angle therein; THENCE North Sixteen Degrees, Thirty-Two Minutes, Thirty Seconds East ($N 16^{\circ} 32' 30'' E$) along the western limit of Block 'J', Eight point Seven Five Nine Metres (8.759 m) more or less to a north west angle of the said Block 'J';

THENCE South Seventy-One Degrees, Thirty-One Minutes, Fifty Seconds East ($S 71^{\circ} 31' 50'' E$) along a northern limit of the said Block 'J', Zero point Three Zero Five Metres (0.305 m) more or less to the south west angle of Lot 23, according to Eleanor Gardens, Phase 3 aforesaid;

THENCE South Sixteen Degrees, Thirty-Two Minutes, Thirty Seconds West ($S 16^{\circ} 32' 30'' W$) along an eastern limit of the said Block 'J', Ten point Zero Six Four Metres (10.064 m) to an angle therein;

THENCE North Seventy-One Degrees, Thirty-One Minutes, Fifty Seconds West ($N 71^{\circ} 31' 50'' W$) along the southern limit of Block 'J', Twenty point One Two Nine Metres (20.129 m) more or less to the point of commencement.

The above described parcel shown in heavy outline and designated as Part 2 on Plan N.S. 2402 Surveys, hereto attached.

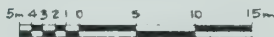
SKETCH TO ILLUSTRATE DESCRIPTION OF
 PART OF BLOCK 'J' - 1' RESERVE
 ELEANOR GARDENS PHASE 3
 REGISTERED PLAN M-279

IN THE

CITY OF HAMILTON

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
 SCALE 1:500

1982



ELEANOR

GARDENS

DRIVE

PHASE 3

REG'D

PLAN

M-279

24

ELMBANK

STREET

EAST LIMIT OF WIDENING
 BY BY-LAW No. 81-255
 INST No. 112736 L.T.

PART 1

BLOCK 'J'

N71°30'50"W PLAN M-279

N71°31'50"W

31.623

N71°31'50"W 19.623

PART 1

PLAN 62R-5761

0.305
 N16°32'30"E

N71°31'50"W

31.623

N71°31'50"W 25.129

N71°30'50"W PLAN M-279

0.305
 N16°32'30"E

PART 2

PART 3
 PLAN 62R-5646

MENTINO ESTATES

2

ELMORE

PHASE TWO

REG'D

PLAN

62M-332

3

6

NOTE

BEARINGS HEREON ARE ASTRONOMIC AND ARE REFERRED TO
 TO THE SOUTHERN LIMIT OF ELMBANK STREET ON A COURSE
 OF N71°31'50"W AS SHOWN ON PLAN 62M-332.

THIS IS NOT A PLAN OF SURVEY. O. REG. 564/80 S. 21 PART

METRIC

DISTANCES ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED
 TO FEET BY DIVIDING BY 0.3048.

CITY OF HAMILTON

DEPARTMENT OF ENGINEERING - LAND SURVEYS

ELMBANK ST. & ELMORE DR. - INCORPORATING PART OF BLOCK 'J' - 1' RESERVE

SURVEY BY	COMP.	FIELD BOOK	FILE No. 839-0001	DATE DECEMBER 1982
DRAWN BY	RICK	REF. DWG'S P-1443 P-1371	CHECKED BY I.H.	

APPROVED

CITY ENGINEER

CITY SURVEYOR

O.L.S.

PLAN No. NS-2402 SURVEYS

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 83 -

TO WIDEN QUIGLEY ROAD, EAST SIDE,
SOUTH OF T. H. & B. RAILWAY

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to widen a portion of the highway known as Quigley Road by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Quigley Road.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 19

City Clerk

Mayor

(1983) 7 R.T.E.C. 29, March 29

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Lot 29, Concession 4, Township of Saltfleet and which said parcel may be more particularly described as all of Part 1, according to a Reference Plan received and deposited in the Land Registry Office for the Registry Division of Wentworth on September 10th, 1982, as Plan 62R-6384.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 83 -

TO WIDEN ROSEDALE AVENUE AT KING STREET

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to widen a portion of the highway known as Rosedale Avenue by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Rosedale Avenue.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 19

City Clerk

Mayor

(1983) 6 R.T.E.C. 2, March 8

SCHEDULE "A"

ALL AND SINGULAR those certain parcels or tracts of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of parts of Lot 1, Concession 3, Township of Barton and which said parcels may be more particularly described as all of Parts 1 & 2, according to a Reference Plan received and deposited in the Land Registry Office for the Registry Division of Wentworth on July 2nd, 1981 as Plan 62R-5884.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 83 -

TO WIDEN FERGUSON AVENUE, EAST SIDE,
BETWEEN HUNTER AND JACKSON STREETS

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to widen a portion of the highway known as Ferguson Avenue by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Ferguson Avenue.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 5 R.T.E.C. 13, February 22

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Lots 1 & 3, according to Samuel Mills Survey (unregistered) and part of Lot 8, according to O. T. Springer Survey, registered in the Land Registry Office for the Registry Division of Wentworth as Plan No. 48 and which said parcel may be more particularly described as all of Part 1, according to a Reference Plan received and deposited in the said Land Registry Office on November 12th, 1973, as Plan 62R-1197.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 83 -

TO WIDEN TRINITY CHURCH ROAD, WEST
SIDE, SOUTH OF RYMAL ROAD

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to widen a portion of the highway known as Trinity Church Road by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Trinity Church Road.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 19

City Clerk

Mayor

(1983) 7 R.T.E.C. 28, March 29

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Lot 16, Concession 1, Township of Glanford and which said parcel may be more particularly described as all of Part 1, according to a Reference Plan received and deposited in the Land Registry Office for the Registry Division of Wentworth on January 13th, 1981 as Plan 62R-5670.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 83 -

TO EXTEND GARDINER DRIVE BY INCORPORATING
1' RESERVES, BLOCK 'BX', Plan M-98 AND
BLOCK 'BX', Plan M-172

WHEREAS the Council of The Corporation of the
City of Hamilton is empowered under Section 298 of
The Municipal Act, R.S.O. 1980, Chapter 302 and amendments
thereto to establish and lay out, widen, alter, divert,
stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of
the City of Hamilton deems it expedient to extend
a portion of the highway known as Gardiner Drive
by incorporating within its limits the lands described in
Schedule "A" hereto;

AND WHEREAS the said lands are owned by The
Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of
the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended
hereto are hereby established and laid out as public
highway to form part of Gardiner Drive.
2. The Commissioner of Regional Engineering or his
duly authorized agent is hereby authorized to open as public
highway the said lands.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 4 R.T.E.C. 8, February 8

SCHEDULE "A"

ALL AND SINGULAR those certain parcels or tracts of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of all of Block 'BX', according to Gilkson Gardens Addition, filed in the Land Titles Division of the Land Registry Office for the Registry Division of Wentworth as Plan M-98, and all of Block 'BX', according to Gilkson Meadows Addition, filed in the said Land Registry Office as Plan M-172.

The above described parcels shown in heavy outline on Plan N.S. 2401 Surveys hereto attached.

FORM S P H

METRIC

DISTANCES ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

SKETCH TO ILLUSTRATE DESCRIPTION OF

BLOCK 'BX' - 1' RESERVE
GILKSON GARDENS ADDITION No.2
REG'D PLAN M-98

AND
BLOCK 'BX' - 1' RESERVE
GILKSON MEADOWS ADDITION
REG'D PLAN M-172

IN THE

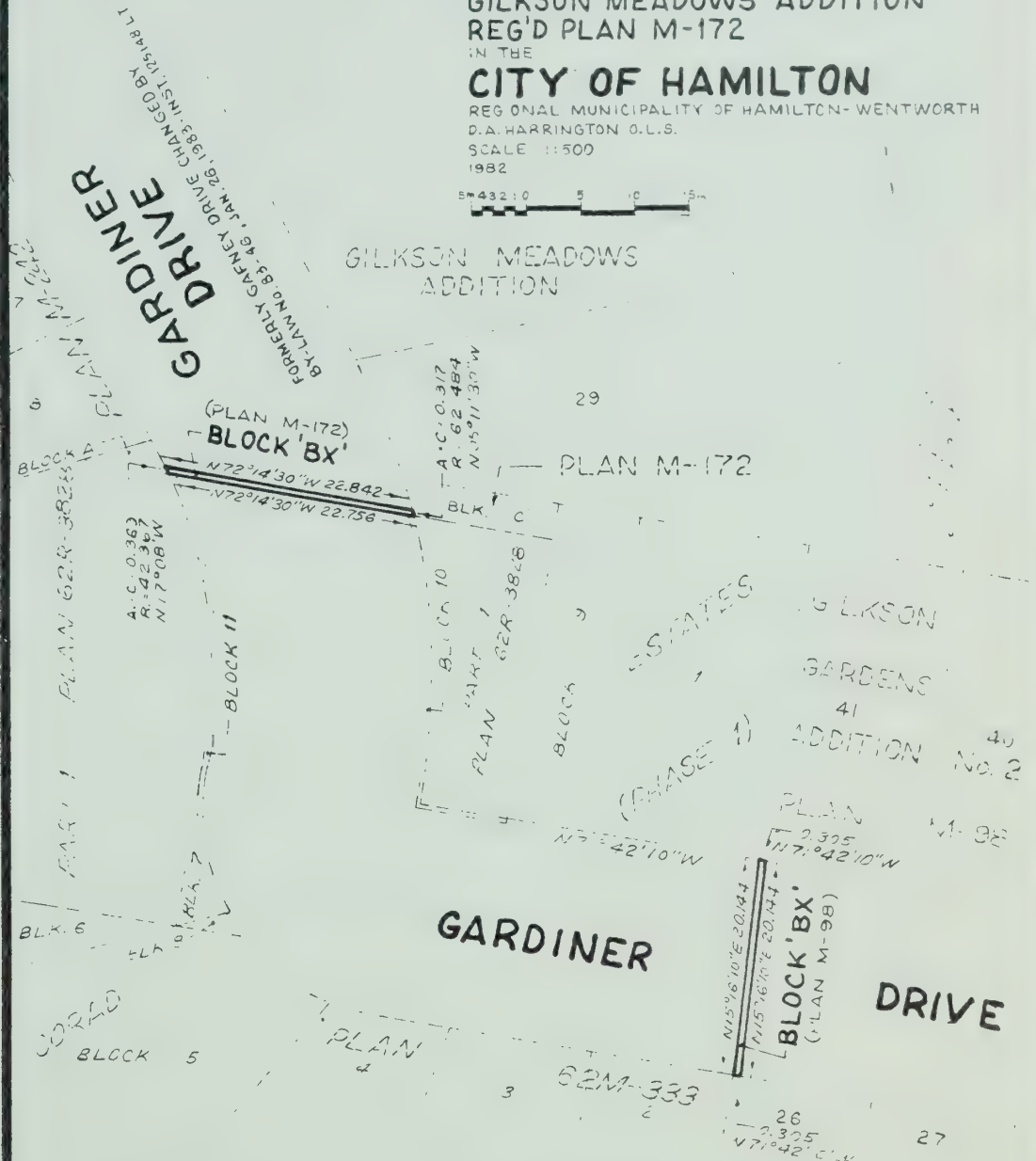
CITY OF HAMILTON

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

D.A. HARRINGTON O.L.S.

SCALE 1:500

1982



NOTE

BEARINGS HEREON ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHERN LIMIT OF GARDINER DRIVE ON A COURSE OF N71°42'10"W AS SHOWN ON PLAN M-98.

THIS IS NOT A PLAN OF SURVEY O. REG. 564/80 S. 21 PART

CITY OF HAMILTON

DEPARTMENT OF ENGINEERING - LAND SURVEYS

GARDINER DRIVE INCORPORATING BLOCK 'BX' - PLAN M-98 AND BLOCK 'BX' - PLAN M-172 INTO STREET

SURVEY BY COMP. FIELD BOOK FILE No. 839-0001 DATE DECEMBER 1982
DRAWN BY RICK REF DWG. 5 P-1114, P-828, P-732 CHECKED BY D.H.

APPROVED

D.A. Harrington
ENGINEER

CITY SURVEYOR *D.A. Harrington* - O.L.S.

PLAN No. NS-2401 SURVEYS

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 83 -

TO WIDEN FAIRRIDGE ROAD, EAST SIDE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to widen a portion of the highway known as Fairridge Road by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Fairridge Road.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 5 R.T.E.C. 14, February 22

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Lot 20, Concession 4, Township of Saltfleet and which said parcel may be more particularly described as follows:-

PREMISING that all bearings herein are astronomic and are referred to the eastern limit of Fairridge Road (road allowance between Lots 30 & 31) on a bearing of North Seventeen Degrees, Three Minutes, Thirty Seconds East (N 17° 03' 30" E);

COMMENCING at a point in the eastern limit of Fairridge Road distant therein South Seventeen Degrees, Three Minutes, Thirty Seconds West (S 17° 03' 30" W), three hundred and seventy-three point four one feet (373.41') from the north western angle of Lot 30, the said point of commencement being also at the south west angle of Block 'A', according to Red Hill Manor, registered in the Land Registry Office for the Registry Division of Wentworth as Plan No. 1379;

THENCE south easterly along the south western limit of the said Block 'A', being the arc of a curve to the right, having a radius of two thousand and ten point zero eight feet (2010.08'), twenty-six point two six feet (26.26') to the south eastern angle of the said Block 'A', the chord of the said arc having a length of twenty-six point two five feet (26.25') and a bearing of South Forty-seven Degrees, Thirty-six Minutes, Fifty Seconds East (S 47° 36' 50" E);

THENCE south westerly along the arc of a curve having a radius of forty-five point zero feet (45.0'), forty-three point six seven feet (43.67') to a point in the aforesaid eastern limit of Fairridge Road, distant therein South Seventeen Degrees, Three Minutes, Thirty Seconds West (S 17° 03' 30" W), forty-five point eight seven feet (45.87') from the point of commencement of the herein described parcel, the chord of the said arc having a length of forty-one point nine seven feet (41.97') and a bearing of South Fifty-one Degrees, Twenty-six Minutes, Twenty-Five Seconds West (S 51° 26' 25" W);

THENCE North Seventeen Degrees, Three Minutes, Thirty Seconds East (N 17° 03' 30" E) along the said eastern limit of Fairridge Road, forty-five point eight seven feet (45.87') to the point of commencement.

The above described parcel being shown in heavy outline on Plan N.S. 1656 Surveys, revised December 2nd, 1968, attached hereto.

2

2



RIGHT OF WAY

RIGHT OF WAY

RIGHT OF WAY

By-law No. 83 -

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:-

Traffic

1. Schedule 16 (No Left Turns at Certain Intersections) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966, is hereby amended by adding thereto the following item, namely:-

"Hughson Northerly King (south branch) 12:00 noon to 8:00 a.m."

PASSED this day of , A.D. 1983.

City Clerk

Mayor

(1983) 8 R.T.E.C., April 26

By-law No. 83 -

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 23 (Hamilton Street Railway Bus Stops) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March, 1966, is hereby amended by deleting from the Outbound column of the Nash-Barton table the following item, namely:-

"Nash at Glen Echo (MB)"

and by adding thereto the following item, namely:-

"Nash at a point 143 feet north of the north curb of Glen Echo Drive".

2. Schedule 25A (Parking Time Limits) is hereby amended:-

(a) by adding to Section 5 (One Hour Limit) the following item, namely:-

"East 25th	West	commencing 82 feet south of Concession and extending to a point 319 feet southerly therefrom".
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(b) by adding thereto the following Section, namely:-

"14. One Hour Limit between the hours of 8:00 in the forenoon and 4:00 in the afternoon on the following streets and parts of streets, excepting such parts of same where parking or stopping is prohibited.

<u>STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
West 35th	Both	Leslie to Bendamere".

3. Schedule 25B (Parking Time Limits) is hereby amended:-

(a) by deleting from Section 3 (One Hour Limit) the following item, namely:-

"Cannon (north branch)	North	Caroline to Hess"
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(b) by adding to Section 4 (One Hour Limit) the following item, namely:-

Severn	Both	Colbourne to southerly end".
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4. Schedule 26 (No Parking Areas) is hereby amended:-

(a) by adding to Section A (No Parking Anytime) the following items, namely:-

"Patterson	South	Queen to easterly end
Patterson	North	Queen to a point 118 feet easterly therefrom".

(b) by deleting from Section F (No Parking 8:00 a.m. to 4:00 p.m., Monday to Friday) the following item, namely:-

"West 35th	Both	Leslie to southerly end".
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and by adding thereto the following item, namely:-

"West 35th	Both	Bendamere to southerly end".
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(c) by adding to Section H (No Parking 8:00 a.m. to 6:00 p.m., Monday to Saturday) the following item, namely:-

"Burton	South	Commencing at a point 193 feet west of Douglas and extending to a point 42 feet westerly therefrom".
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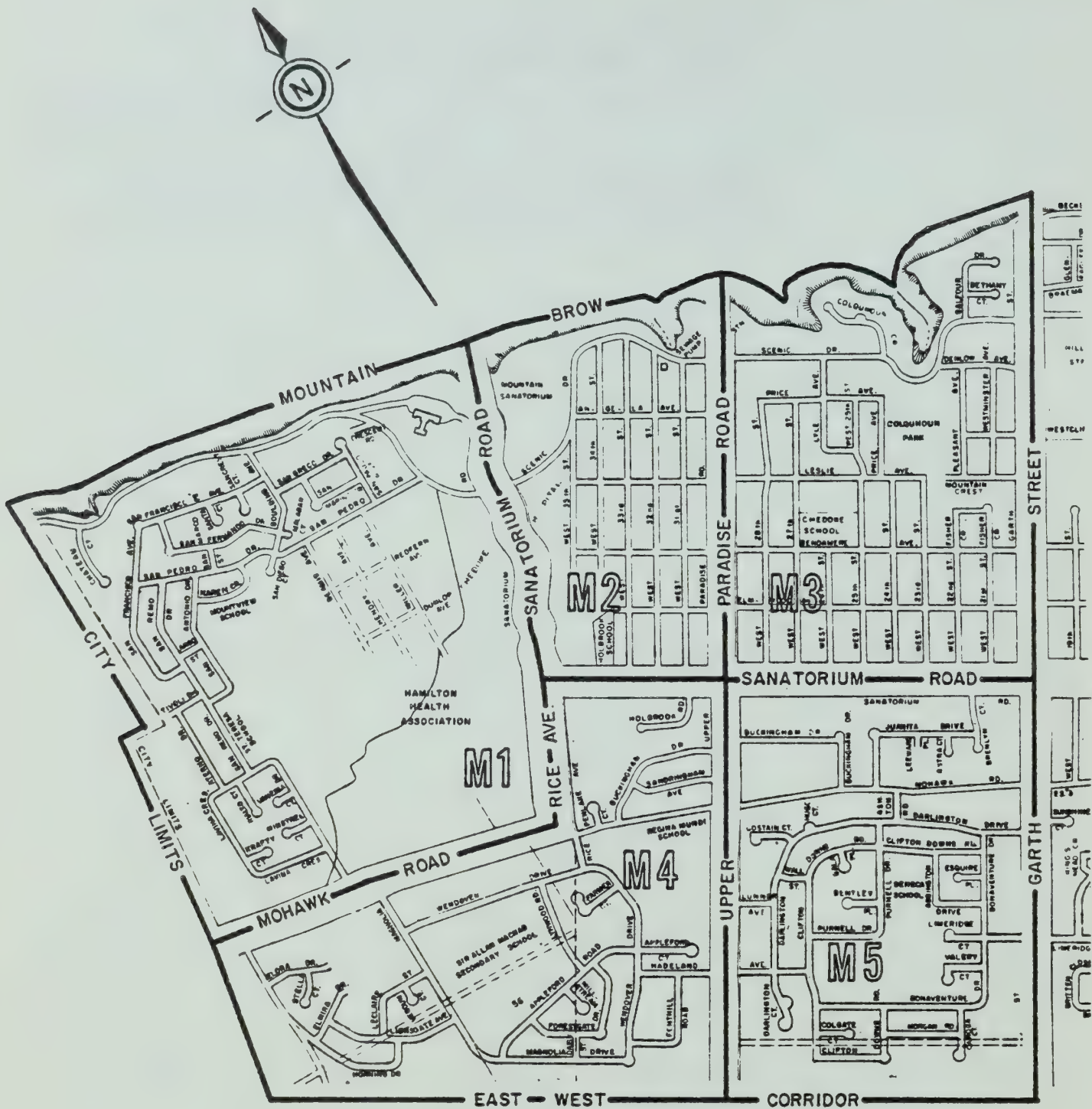
5. Schedule 40 (Time Limit Exemption Areas) is hereby amended by adding thereto the illustrations attached hereto, lettered "M", "Q".

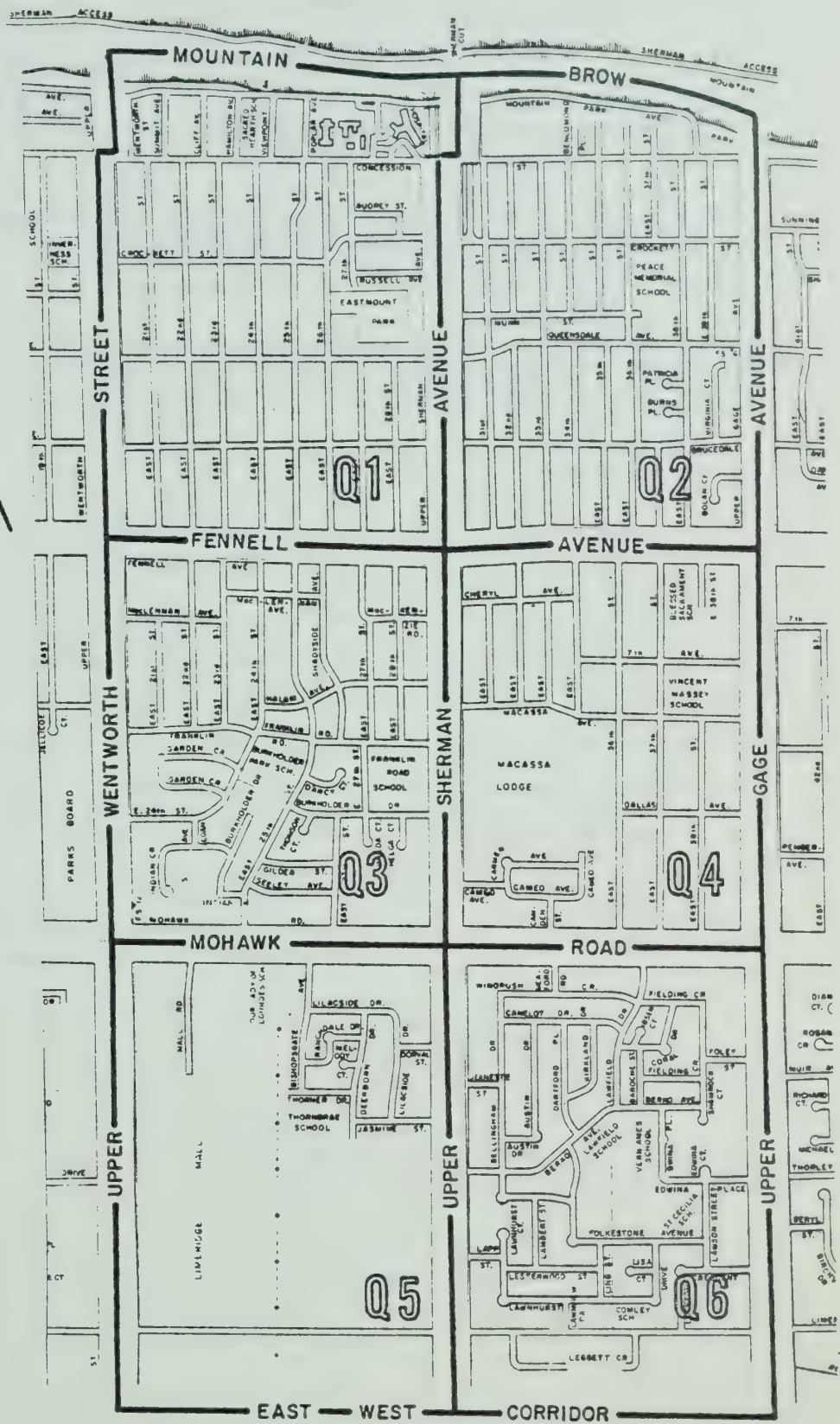
PASSED this day of , A.D. 1983.

City Clerk

Mayor

(1983) 8 R.T.E.C., April 26





The Corporation of the City of Hamilton

BY-LAW NO.

TO FIX THE RATES OF TAXATION FOR REGIONAL PURPOSES FOR THE YEAR 1983

WHEREAS the Regional Municipality of Hamilton-Wentworth has approved the requisition to The Corporation of the City of Hamilton for \$58,208,731.00 representing the City of Hamilton's share of the cost of operating the Regional Municipality of Hamilton-Wentworth for the year 1983.

WHEREAS after the deduction of \$4,918,050.00 of 1983 estimated shared revenues, the funds for which have been provided in the City of Hamilton 1983 Estimates, and the addition of the 1982 underlevy in the amount of \$108,541.00, it is intended to levy against the ratepayers of the City of Hamilton the resulting net amount of \$53,399,222.00 for the year 1983.

NOW THEREFORE The Council of The Corporation of the City of Hamilton enacts as follows:

1. The estimated Corporation of the City of Hamilton's share of the Regional Municipality of Hamilton-Wentworth's 1983 levy, in the amount of \$58,208,731.00, is hereby adopted as part of the 1983 Estimates of The Corporation of the City of Hamilton.
2. That there shall be levied and raised on the whole of the rateable property of The Corporation of the City of Hamilton in the amount of \$875,243,293.00, of which \$494,786,439.00 is Residential assessment and \$380,456,854.00 is Non-residential assessment, the following rates of taxation:

(1) for Regional purposes 66.6636 mills producing	\$58,346,870.00
(2) the amount to be levied and raised against "residential" assessments in the amount of \$494,786,439.00 determined as required by The Municipal Act shall be reduced by \$4,947,648.00 or 9.9996 mills in accordance with Section 7(3) of The Ontario Unconditional Grants Act 1975	<u>4,947,648.00</u>
	<u>\$53,399,222.00</u>

- (3) the rate to be levied against "residential" assessments determined as required by The Municipal Act for Regional purposes is 56.6640 mills on the dollar
- (4) the rate to be levied against "non-residential" assessments determined as required by The Municipal Act for Regional purposes is 66.6636 mills on the dollar
- (5) this by-law comes into force on the date on which it is enacted by the Council of The Corporation of the City of Hamilton.

PASSED this 26th day of April A.D., 1983.

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Levy:

AN ANNUAL TAX ON TELEGRAPH AND TELEPHONE
COMPANIES DOING BUSINESS IN ONTARIO

Respecting:

THE BELL TELEPHONE COMPANY OF CANADA AND
CANADIAN NATIONAL TELECOMMUNICATIONS AND
CANADIAN PACIFIC TELECOMMUNICATIONS

WHEREAS section 161 of The Municipal Act, R.S.O. 1980, Chap. 302, empowers the Council of The Corporation of the City of Hamilton to levy on every telegraph and telephone company doing business in Ontario an annual tax equal to 5 per cent of the total gross receipts of such company for the preceding year;

AND WHEREAS The Bell Telephone Company of Canada is a telephone company doing business in the Municipality of the City of Hamilton;

AND WHEREAS Canadian National Railway Company is a company doing telegraph business in the Municipality of the City of Hamilton under the name and style of Canadian National Telecommunications;

AND WHEREAS Canadian Pacific Limited is a company doing telegraph business in the Municipality of the City of Hamilton under the name and style of Canadian Pacific Telecommunications;

AND WHEREAS the gross receipts of The Bell Telephone Company of Canada, doing business within the Municipality of The City of Hamilton is in the amount of \$89,867,908.00 for the year ended the 31st day of December, 1982;

AND WHEREAS the joint gross receipts of Canadian National Telecommunications and Canadian Pacific Telecommunications is in the amount of \$73,693.70 for the year ended December 31st, 1982;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. It is hereby authorized and directed that a tax for the fiscal year ended December 31, 1982 be levied,
 - (a) on the Bell Telephone Company of Canada Limited in the amount of \$4,493,395.40 and
 - (b) jointly on Canadian National Railway Company doing business as Canadian National Telecommunications and Canadian Pacific Limited doing business as Canadian Pacific Telecommunications in the amount of \$3,684.69.
2. That the tax levied hereunder shall be collected in the same manner as municipal taxes are collectible and is a special lien under Section 369 of The Municipal Act on all the lands of,
 - (a) The Bell Telephone Company of Canada,
 - (b) Canadian National Railway Company and Canadian Pacific Limited for any respective amounts that are due under the by-law.

PASSED this 26th day of April A.D., 1983.

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 75-61

As Amended by By-law No. 75-175

Respecting:

LAND LOCATED AT MUNICIPAL NO. 16 WELLINGTON STREET NORTH

WHEREAS By-law No. 75-61, passed on the 4th day of March, 1975, as amended by By-law No. 75-175, passed on the 24th day of June, 1975, provides for the setback of buildings and structures on major streets in the area below the escarpment and prohibits the erection, alteration, extension and enlargement of the buildings or structures within the area proposed for future road allowances;

AND WHEREAS it is desirable to exempt the property located at No. 16 Wellington Street North in order to permit the erection of a ground sign on the proposed future road allowance as determined by the said by-laws.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 75-61, as amended by By-law No. 75-175, shall not apply to prohibit the erection of a ground sign having an approximate area of 5.2 square metres, with a minimum of 2.6 metres from grade level, to be located at No. 16 Wellington Street North.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 8 R.P.D.C. 14, April 12

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Appoint:

A CHIEF PLANNING OFFICER

WHEREAS R.R.O. 1980, Reg. 785, section 5 requires that the chief planning officer of the local municipality provide an opinion that a zoning by-law is in conformity with the official plan of the local municipality for the purpose of the procedure established in the said regulation relating to a zoning by-law becoming effective where no notice of objection has been filed;

AND WHEREAS it is desirable to appoint a chief planning officer for the purpose of the said regulation to provide the required opinion.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Director of Local Planning of The Regional Municipality of Hamilton-Wentworth is appointed chief planning officer for the purpose of completing Schedule 3 of Form 1 referred to in section 5 of R.R.O. 1980, Reg. 785.

2. In the absence of the Director of Local Planning referred to in section 1, the Director of Development for The Regional Municipality of Hamilton-Wentworth is appointed chief planning officer in substitution therefor, for the purpose of completing Schedule 3 of Form 1 referred to in section 5 of R.R.O. 1980, Reg. 785.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1982) 17 R.P.D.C. 9, September 14
(1983) 8 R.P.D.C. 15, April 12
City Initiative 82-N

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Authorize:

DEMOLITION AND CLEARING OF
BUILDINGS, STRUCTURES, DEBRIS OR REFUSE AT

MUNICIPAL NOS. 308-310 BEACH BOULEVARD

WHEREAS a Notice dated the 18th day of October, 1982 was served or caused to be served in accordance with subsection 6 of section 43 of The Planning Act, R.S.O. 1980, Chapter 379;

AND WHEREAS an Order dated the 30th day of November, 1982 was served or caused to be served in accordance with subsection 7 of section 43 of the said Act;

AND WHEREAS no appeal has been made from the said Order in accordance with subsection 17 of section 43 of the said Act;

AND WHEREAS the buildings and structures situate on the land more particularly described in schedule "A" have not been repaired or demolished and the site cleared as required by the said Order;

AND WHEREAS the said buildings and structures are not in conformity with the standards prescribed in The Property Standards By-law No. 74-74 and are in a ruinous and deteriorated condition;

AND WHEREAS in accordance with subsection 21 of section 43 of the said Act the corporation has the right to demolish or repair the property in the event that the Order has not been complied with;

AND WHEREAS it is desirable to demolish the buildings and structures and to clear the site in order to secure the health, welfare and safety of the inhabitants of the area;

AND WHEREAS, pursuant to clause (c) of section 36 of The Property Standards By-law No. 74-74, as amended, the final amount expended by the City to demolish the buildings, together with interest, is a lien against the property in respect of which the amount was expended and the certificate of the City Clerk as to such amount is final and such amount is deemed to be taxes and may be added to the collector's roll to be collected in the same manner as municipal taxes.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Building Commissioner is hereby authorized and directed to provide for the demolition and clearing of all buildings, structures, debris or refuse on the land more particularly described in schedule "A", and to leave the land in a graded and levelled condition.

2. It is hereby authorized and directed that the amount expended for the work done shall be added to the collector's roll and shall be collected in the same manner as municipal taxes.

PASSED this

day of

A.D. 1983

City Clerk

Mayor

(1983) 8 R.P.D.C. 17, April 12

SCHEDULE "A"

To By-law No. 83-

Municipal Address: 308-310 Beach Boulevard

ALL AND SINGULAR that certain parcel of land and premises situate lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, being composed of part of Lot Number Thirteen (13) John Dynes Survey, Registered Plan Number 364, and more particularly described as Part Two (2) on Reference Plan No. 62R-4647.

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Authorize:

DEMOLITION AND CLEARING OF
BUILDINGS, STRUCTURES, DEBRIS OR REFUSE AT

MUNICIPAL NO. 65 BEACH ROAD

WHEREAS a Notice dated the 5th day of October, 1982 was served or caused to be served in accordance with subsection 6 of section 43 of The Planning Act, R.S.O. 1980, Chapter 379;

AND WHEREAS an Order dated the 11th day of November, 1982 was served or caused to be served in accordance with subsection 7 of section 43 of the said Act;

AND WHEREAS no appeal has been made from the said Order in accordance with subsection 17 of section 43 of the said Act;

AND WHEREAS the buildings and structures situate on the land more particularly described in schedule "A" have not been repaired or demolished and the site cleared as required by the said Order;

AND WHEREAS the said buildings and structures are not in conformity with the standards prescribed in The Property Standards By-law No. 74-74 and are in a ruinous and deteriorated condition;

AND WHEREAS in accordance with subsection 21 of section 43 of the said Act the corporation has the right to demolish or repair the property in the event that the Order has not been complied with;

AND WHEREAS it is desirable to demolish the buildings and structures and to clear the site in order to secure the health, welfare and safety of the inhabitants of the area;

AND WHEREAS, pursuant to clause (c) of section 36 of The Property Standards By-law No. 74-74, as amended, the final amount expended by the City to demolish the buildings, together with interest, is a lien against the property in respect of which the amount was expended and the certificate of the City Clerk as to such amount is final and such amount is deemed to be taxes and may be added to the collector's roll to be collected in the same manner as municipal taxes.

NOW THEREFORE the Council of The Corporation of
the City of Hamilton enacts as follows:

1. The Building Commissioner is hereby authorized and directed to provide for the demolition and clearing of all buildings, structures, debris or refuse on the land more particularly described in schedule "A", and to leave the land in a graded and levelled condition.
2. It is hereby authorized and directed that the amount expended for the work done shall be added to the collector's roll and shall be collected in the same manner as municipal taxes.

PASSED this day of A.D. 1983

City Clerk

Mayor

(1983) 8 R.P.D.C. 18, April 12

SCHEDULE "A"

To By-law No. 83-

Municipal Address: 65 Beach Road

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, formerly in the County of Wentworth and Province of Ontario, being composed of Lot Number 21 in Robins Annex Subdivision of Part of Lot Number 7 in the First Concession of the Township of Barton, according to plan thereof filed by the Annex Realty Company of Hamilton Limited as number 410.

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED IN THE AREA EAST OF GREENCEDAR DRIVE,
BEING THE FUTURE EXTENSION OF GOLFWOOD DRIVE

WHEREAS it is intended to change the zoning of the
lands hereinafter referred to;

AND WHEREAS this by-law is in conformity with the
Official Plan of the Hamilton Planning Area, approved by the
Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of
the City of Hamilton enacts as follows:

1. Sheets Nos. W-37B and W-37C of the District Maps,
appended to and forming part of By-law No. 6593, passed on
the 25th day of July, 1950 and approved by the Ontario Muni-
cipal Board by Order dated the 7th day of December, 1951,
(File No. P.F.C. 3821), are amended,

- (a) by changing from "C" (Urban Protected
Residential, etc.) district to "R-4"
(Small Lot Single Family Detached)
district, the land comprised in Block
1, and
- (b) by changing from "D" (Urban Protected
Residential - One and Two Family Dwell-
ings, etc.) district to "R-4" (Small
Lot Single Family Detached) district,
the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are
shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to
proceed as soon as possible with the giving of notice of the
passing of this by-law, including a brief explanation of its
purpose, and with the carrying out of all other directions of
the Ontario Municipal Board relating to the giving of such
notice.

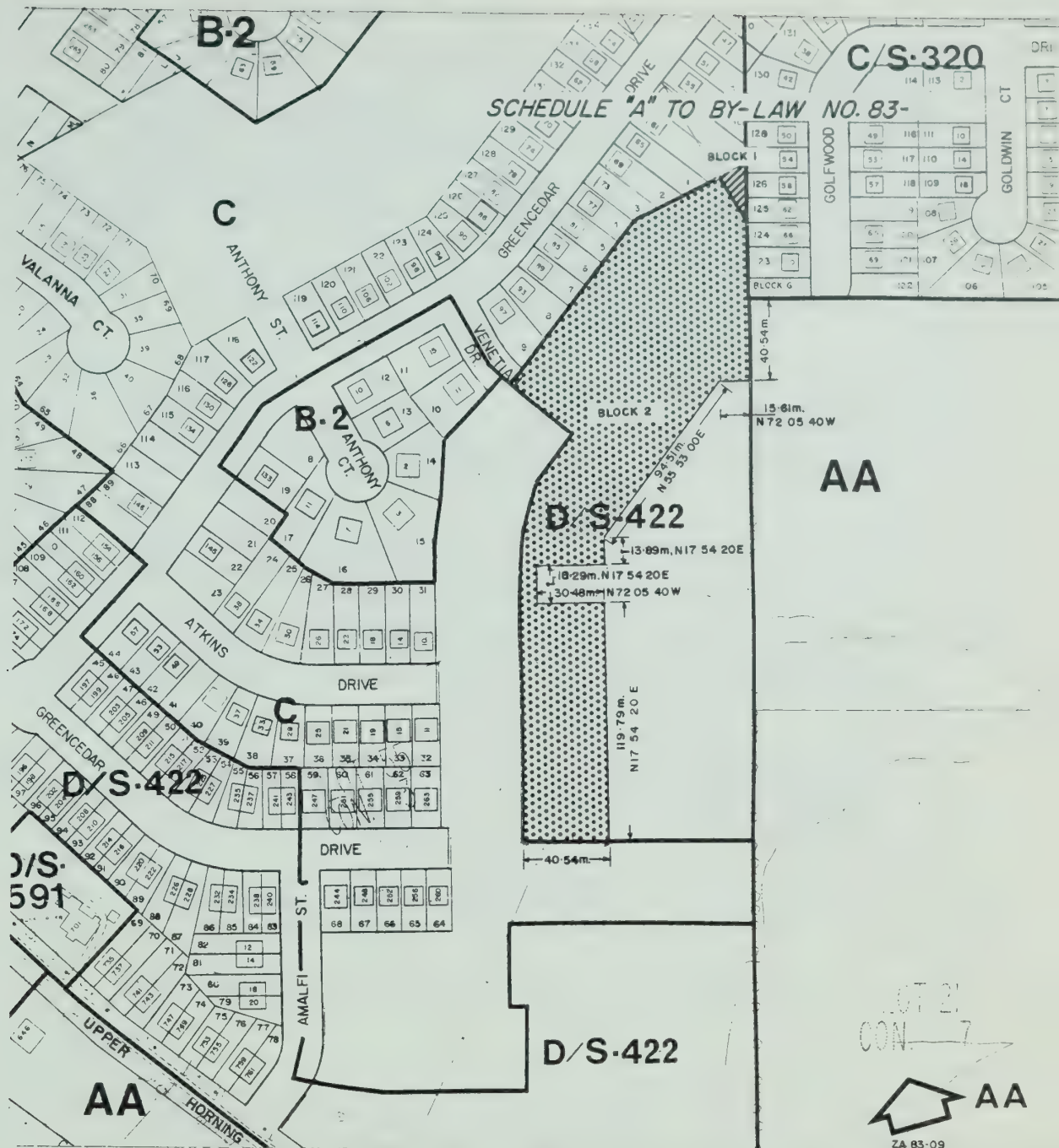
3. The City Solicitor is hereby authorized and directed
to make application to the Ontario Municipal Board for the
necessary approval of this By-law.

PASSED this day of A.D. 1983.

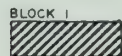
City Clerk

Mayor

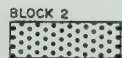
(1983) 7 R.P.D.C. 3, March 29
Sunshine HOMes, Owner
ZA-83-09



LEGEND



Lands on part of Sheet No. W-37B & W-37C of the Zoning District Maps to be re-zoned from "C" (Urban Protected Residential) to "R4" (Small Lot Single Family Detached) District



Lands on part of Sheet No. W-37B & W-37C of the Zoning District Maps to be re-zoned from "D" (Urban Protected Residential) District to "R4" (Small Lot Single Family Detached) District.

Bill No.

This is Schedule _____ to By-law No. _____ passed the _____ day of _____

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

J-41

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 77-261

As Amended by By-law No. 78-222

Respecting:

LAND LOCATED IN THE AREA SOUTH OF KING STREET EAST,
AND WEST OF CENTENNIAL PARKWAY

WHEREAS By-law No. 77-261, passed on the 25th day of October, 1977 and approved by the Ontario Municipal Board on the 17th day of October, 1978, (File No. R 78189), save and except insofar as such approval applies to those portions of the by-law dealing with the zoning of Block 5 according to Schedule "A" of the said by-law;

AND WHEREAS By-law No. 78-222, passed on the 25th day of July, 1978 and approved by the Ontario Municipal Board on the 27th day of October, 1978, (File No. R 783064), amended By-law No. 77-261 as regards the said Block 5;

AND WHEREAS Battleridge Subdivision (Phase 1) was registered as Plan 62M-336 in the Registry Office for the Land Titles Division of Wentworth on the 28th day of September, 1982 as No. 120301 L.T.;

AND WHEREAS it is intended herein only to correct discrepancies in dimensions on Schedule "A" of By-law No. 77-261, as amended by By-law No. 78-222, which differ from the dimensions shown on the said registered plan, so that the dimensions on the said Schedule "A" will be the same as on the registered plan;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" to By-law No. 77-261, as amended by By-law No. 78-222, is deleted and Schedule "A" hereto annexed and forming part of this by-law is substituted in lieu thereof.
2. The City Clerk is hereby authorized and directed to proceed, if necessary, with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.
3. The City Solicitor is hereby authorized and directed to make application, if necessary, to the Ontario Municipal Board for the approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 7 R.P.D.C. 5, March 29
ZA-76-31

REVISED

SCHEDULE "A" TO BY-LAW NO. 77-261

PLAN
OF PART OF

LOTS 27 and 28, CONCESSION 4

(FORMERLY in the TOWNSHIP of SALT FLEET)
NOW IN THE

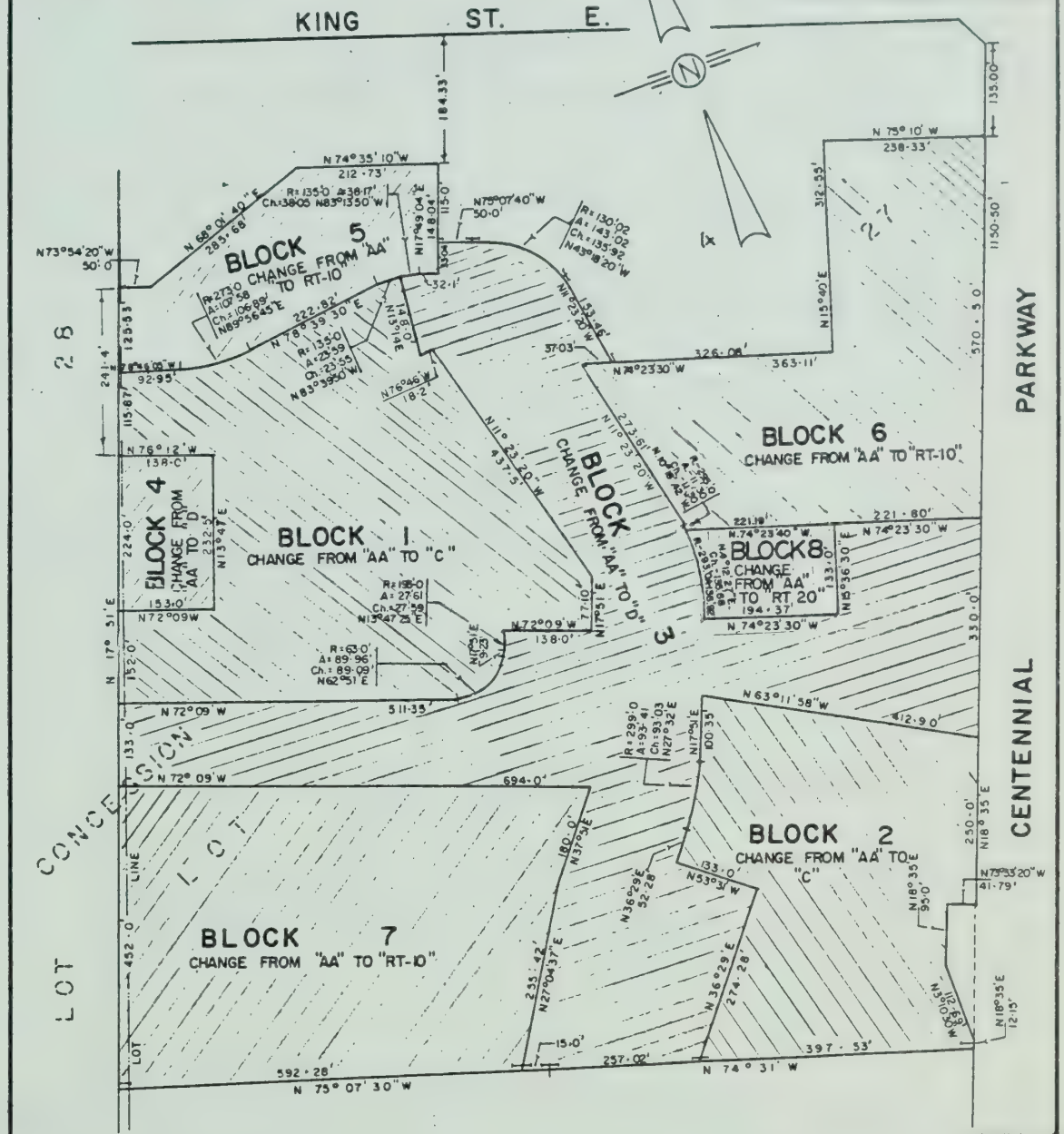
CITY of HAMILTON

REGIONAL MUNICIPALITY of HAMILTON WENTWORTH

SCALE 1"=200'
1977



Holstead, Orendorf & Redmond Limited
ONTARIO LAND SURVEYORS
Cadastral, Geodetic and Engineering Surveys
427 WILLIAM STREET, LONDON, ONTARIO
519-672-4551



Bill No.

This is Schedule "A" to By-law No. 83- passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 331 QUEEN STREET SOUTH

WHEREAS it is intended to change the zoning of the land hereinafter referred to;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-6 of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821), is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

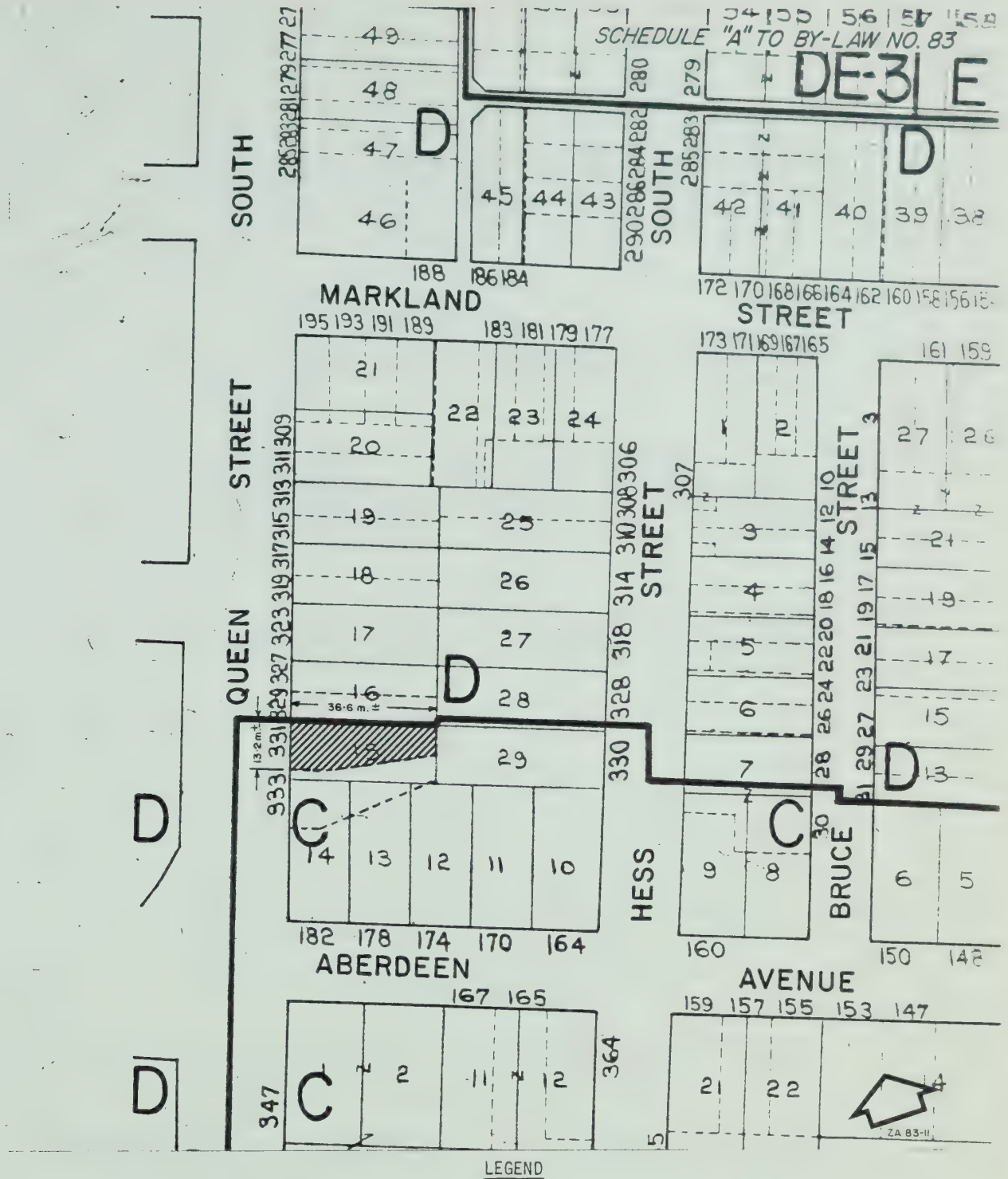
3. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 7 R.P.D.C. 4, March 29
J.V. Grant, on behalf of R.J. MacDonald
and J.C. McMurtry, Owners
ZA-83-11



Bill No.

This is Schedule _____ to By-law No. _____ passed the _____ day of _____

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

J-45

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE NORTH SIDE OF RYMAL ROAD EAST
AND WEST OF UPPER OTTAWA STREET

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-49D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (b) by changing from "C" (Urban Protected Residential, etc.) district and "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district to "R-4" (Small Lot Single Family Detached) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "R-4" (Small Lot Single Family Detached) district provisions applicable to the land referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding subsection 9A(1) of By-law No. 6593, the following,

- (i) RESIDENTIAL USE shall be permitted:

- 1. A townhouse dwelling or a group of townhouse dwellings, subject to the "RT-10" District provisions of section 10D of the said by-law.

- (b) no land or part thereof shown on schedule "A" shall be used for access from Rymal Road East except land for one common access driveway accessory to a group of townhouse dwellings.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "R-4" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-821".

5. Sheet No. E-49D of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-821".

6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 7 R.P.D.C. 2, March 29
Seebeck Construction Company Limited
and Robert Shelley Construction Limited, Owners
ZA-83-06

D/S-496 | AA
SCHEDULE "A" TO BY-LAW NO. 83.

C

D/S-702

D/S-702

D/S-659

Lmr-1/
S-736

L-C

N 71° 23' 00" W 59.75 m ±
N 71° 23' 00" W 29.014 m
N 81° 50' 00" E 21.191 m
N 77° 25' 25" W 33.228 m
N 45° 32' 30" W 33.228 m
0.173 m

BLOCK 2

BLOCK 1

211.44 m. ±

1049

1067 1073

RYMAL ROAD

EAST

M-12

LEGEND

BLOCK 1

BLOCK 2

Lands on part of Sheet No. E-49D of the Zoning District Maps to be re-zoned from "C" (Urban Protected Residential) District to "R4" (Small Lot Single-Family Detached) District Modified

Lands on part of Sheet No. E-49D of the Zoning District Maps to be re-zoned from "D" (Urban Protected Residential) District to "R4" (Small Lot Single-Family Detached) District Modified

This is Schedule to By-law No. passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED ON THE NORTH SIDE OF RYMAL ROAD EAST
AND WEST OF UPPER OTTAWA STREET

WHEREAS By-law No. 79-275, passed on the 25th day of September, 1979, under section 35a of The Planning Act, as re-enacted by The Planning Amendment Act, 1979, S.O. 1979, Chapter 59, section 1, (now section 40 of The Planning Act, R.S.O. 1980, Chapter 379), established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

62. Land located on the north side of Rymal Road East and west of Upper Ottawa Street, shown on Appendix 62 hereto annexed and forming part of this by-law.

2. Schedule "A" is annexed hereto and forms part of this by-law and By-law No. 79-275, as Appendix 62.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 7 R.P.D.C. 2, March 29
Seebeck Construction Company Limited
and Robert Shelley Construction Limited, Owners
ZA-83-06

U/S-490 | AA
SCHEDULE "A" TO BY-LAW NO. 83

C

D/S-702

L-C

D/S-702

D/S-659

Lmr-V
S-736

N 71 23 00 W 59.75 m.
N 71 23 00 W 29.014 m.
N 87 50 00 E 21.191 m.
N 77 25 25 W 28.262 m.
N 45 32 30 W 33.226 m.

BLOCK 2

BLOCK 1

1067 1073

1049

211.44 m. ±

1001

RYMAL ROAD EAST

AA

M-12

LEGEND



Lands on part of Sheet No. E-49D of the Zoning District maps forming part of By-law No. 6593 designated as an area of Site Plan Control pursuant to Section 35a of The Planning Act.

Appendix 62 to By-law No. 79-275.

Bill No.

This is Schedule "A" to By-law No. 83- passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

PUBLIC USES

WHEREAS General Zoning By-law No. 6593 was passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS it is intended to provide for a general amendment to the "HH" (Restricted Community Shopping and Commercial) district of the said by-law so as to permit various public uses;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Clause 14A(1)(c) of By-law No. 6593 is amended by adding "(vii)," after the word "clauses" in the first line.
2. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.
3. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the approval of this by-law as may be necessary.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 9 R.P.D.C. 4, April 26
City Initiative 83-H

BY-LAW NO. 83 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF
HAMILTON AT ITS MEETING HELD ON THE Twentysixth DAY OF April
A.D., 1983.

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the
Revised Statutes of Ontario, 1980, the powers of a municipal corporation
are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act,
being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of
every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council
of The Corporation of the City of Hamilton at this meeting be confirmed
and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton
enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton
in respect to each recommendation contained in the Reports of the
Committees and of the local Boards and Commissions and each motion and
resolution passed and other action taken by the Council of The
Corporation of the City of Hamilton at this meeting is hereby adopted
and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of
Hamilton are hereby authorized and directed to do all things necessary
to give effect to the action of the Council of The Corporation of the
City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the
City Clerk, or in the absence of the City Clerk, the Deputy City Clerk,
are authorized and directed to execute all documents necessary in that
behalf and to affix thereto the seal of The Corporation of the City of
Hamilton.

PASSED this Twentysixth day of April, A.D., 1983.

City Clerk

Mayor



MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, May 10, 1983
7:30 o'clock p.m.
Council Chambers
City Hall

A G E N D A

1. Prayer
2. Minutes of Previous Meetings held April 26, 1983 and May 3, 1983
3. Correspondence and petitions (attached) - City Clerk
 - (a) Office of the Prime Minister
 - (b) Mr. Carl Alkerton
4. Reports of Standing Committees - attached
 - A Transport and Environment Committee
 - B Parks and Recreation Committee
 - C Finance Committee
 - D Planning and Development Committee
 - E Legislation Committee
 - F Personnel Committee
5. Notices of Motion for next meeting
6. First reading of Bills
7. Second reading of Bills - Committee of the Whole
8. Third reading of Bills
9. Question period
10. Adjournment

C O R R E S P O N D E N C E



RECEIVED

MAY 5 1983
CITY CLERKS

April 26, 1983.

E.A. Simpson,
City Clerk,
The Corporation of the
City of Hamilton,
City Hall,
Hamilton, Ontario.
L8N 3T4

Dear E.A. Simpson:

On behalf of the Prime Minister, I would like to reply to your letter of January 26 regarding the cruise missile. I apologize for our delay in replying.

As you may know, on February 10 the governments of Canada and the United States signed the Canada-U.S. (CANUS) Test and Evaluation Program. The Program is a framework agreement whereby the two countries can discuss projects to test U.S. defence equipment, including artillery equipment, helicopters, aircraft navigation systems and unarmed cruise missiles. Under the terms of the agreement, no nuclear, biological or chemical warfare materials may be brought into Canada and the Canadian government reserves the right to reject, cancel or terminate any project. Moreover, signing of the agreement does not, of itself, authorize any tests. If the United States does request Canada's cooperation in evaluating the cruise system, further negotiations will be required.

Canada and the other NATO Allies would prefer, of course, that the security of their peoples be strengthened by arms control rather than by weapons build up, and the Canadian government remains fully committed to the pursuit of international disarmament agreements. We are continuing to advocate negotiations between the two major nuclear powers on balanced limitation and reduction of nuclear arsenals, including a verifiable agreement banning the flight testing of new

....2

Canada

strategic delivery vehicles. These measures are part of the "strategy of suffocation" put forward by Prime Minister Trudeau at the United Nations Special Sessions on Disarmament in 1978 and again last year. It is hoped that Mr. Trudeau's proposal will complement talks already underway in Geneva on limiting intermediate range nuclear weapons in Europe (INF).

The ground launched cruise missile flies below the speed of sound and is intended primarily as a retaliatory weapon to reinforce NATO's strategic deterrent. A modified version of the missile will be employed by the U.S. Air Force as part of that country's defence capability. It is in light of these vital security considerations that the Canadian government has agreed to discuss cooperative testing programs with the United States. However, in the event of a future international agreement prohibiting tests of new strategic weapon systems, evaluation of the cruise guidance system in Canada would not be called for.

I hope these remarks help clarify the government's arms control policy and serve to reassure you that Canada stands ready to support any realistic course of action that might contribute to nuclear disarmament.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Edward Gorecki', with a stylized, flowing script.

Edward Gorecki,
Correspondence Assistant.



May 2, 1983

Open Letter

To All Council Members
c/o Mr. E. Simpson, City Clerk
City of Hamilton

RE: MISS NUDE WORLD PAGEANT

Ladies & Gentlemen

In reference to the proposed bylaw concerning erotic and exotic dancers calling for them to cover up.

We submit the following, and request clarification and/or exemption from such bylaw.

- (1) The Miss Nude World Pageant has been head quartered in Hamilton since 1970 and is presented as a beauty pageant staged solely as a promotion for the advancement of nudist recreation and to promote tourism. We have a provable record in this regard.
- (2) Beauty pageants are normally recognized as being a cultural event as opposed to entertainment.
- (3) Various forms of entertainment, ie: live orchestra, and vocalists are part of the event.
- (4) Actual nudity in the staging of the Miss Nude World Pageant is confined to a very limited number of walk-ons and walk-offs. There is no performance by any contestant whether dressed or otherwise.
- (5) The Board of Directors of the Hamilton Convention Centre, who are representatives of the public, have clearly accepted the Pageant as being of impeccable character, meeting all Police standards and conducted in good taste.
(note attached)

May 2, 1983

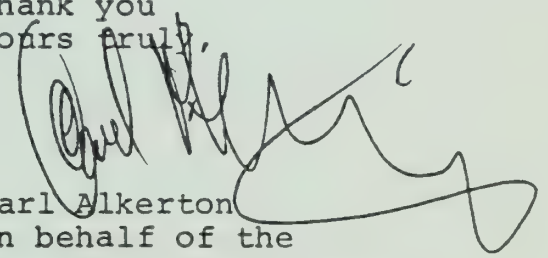
(6) It is our position, the Pageant falls within the same framework as Nude Photography classes within universities and/or Art schools, Nude Art classes also found in universities and Art schools.

(7) Further, that nude works of art normally found in art galleries (both public and private) nude sculpture, are normal by any community standards and as is nude photography and nude art exempt under the proposed bylaw.

(8) The Miss Nude World Pageant most urgently requests a clarification of the proposed bylaw, as a delay will cause serious financial loss to the Pageant.

Therefore, we respectfully request this matter be placed before the city council at it's most earliest convenience and an exemption to the proposed bylaw be adopted unless the council can state unequivocally the pageant does not fall within the bylaw as structured.

Thank you
Yours truly,



Carl Alkerton
on behalf of the
Miss Nude World Pageant

hand delivered
to the Office of the
City Clerk of Hamilton



HAMILTON CONVENTION CENTRE

5

ADMINISTRATION/OPERATIONS COMMITTEES

REPORT

The Administration and Operations Committees met jointly on April 18th, 1983, and report as follows:

1. Mr. Carl Alkerton - Miss Nude World Pageant

The Committees received a presentation from Mr. Carl Alkerton in support of his bid to hold the Miss Nude World Pageant at the Centre. Mr. Alkerton distributed the attached brief to the Committee which outlines the history of the pageant, policies followed, and promotional value of the pageant with regard to dollar generation into the community.

The Committees discussed the matter at length and dealt with Mr. Alkerton on the basis that the pageant had an impeccable reputation, met all police standards, and was run in the best of taste.

However, the Committees gave strong consideration to the fact that community standards must be satisfied, especially in view of the fact that the Centre is a publicly-funded facility.

The Committees therefore unanimously recommend that the application of Mr. Alkerton to hold the Miss Nude World Pageant at the Hamilton Convention Centre be rejected.

2. Percentage of Concession Sales at Trade Shows

Frequently during trade/consumer shows, booth holders have products for sale from the floor, and in order to generate additional revenue for the Centre, the Committees recommend that the General Manager have authority to write into the trade show contract, a clause requiring booth holders who are selling products to pay to the Centre up to 15% of their gross sales.

This is a negotiable item, falling under the discretion of the General Manager.

3. Mini Contract

For the information of the Board, a copy of the revised mini contract is attached.

R E P O R T S

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **NINTH** Report for 1983 and respectfully recommends:

1. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of Dalewood Avenue between Main Street West and Westwood Avenue.
2. That a parking prohibition be implemented on the north side of Bristol Street between Sanford Avenue North and Wentworth Street North.
3. That the "No Parking, 8:30 a.m. to 5:00 p.m., Monday to Friday" regulation on the south side of Everton Place, commencing at Irving Place and extending to a point 120 feet easterly therefrom be rescinded.
4. That northbound and southbound traffic be required to stop at the intersection of Guildwood Drive and Napoli Court.
5. That the Traffic Commissioner be authorized to issue one time limit exemption permit to each of the first two applicants, residing in the apartment building at No. 180 MacNab Street South.
6. That stopping be prohibited on the north side of Main Street East, commencing at Selkirk Avenue and extending to a point 50 feet easterly therefrom.
7. That the Finance Committee be requested to approve the appropriate expenditure from the Off Street Parking Reserve Fund for the purpose of replacing "on street" vandalized parking meters in the City of Hamilton.
8. That St. Joseph's Hospital's request to temporarily close Markland Street from James Street to MacNab Street between the hours of 10:30 a.m. and 11:30 a.m. on Sunday, 83 05 29 in order to hold a foot race be approved provided:
 - i. That all signing and barricading will be subject to the direction of the Regional Police Department and at no cost to the City.
 - ii. That clean-up will be carried out immediately following the reopening of the City street, at no cost to the City.
 - iii. That St. Joseph's Hospital provide proof of \$1 000 000 public liability insurance with a provision for cross liability, naming the City as an added insured party, and save the City harmless from all actions, interests, claims, demands, costs, damages, expenses and loss.
9. Whereas Clause 2(b) of the Twenty-Sixth Report of the Planning and Development Committee, as adopted by City Council at its meeting held 81 11 24 recommended that a Subdivision Agreement be entered into between the City of Hamilton and the owners of Caroga Gardens, Hamilton, the Ontario Land Corporation, it is hereby recommended

that:

- i. the schedules for the estimated cost of services, appended hereto, be approved for inclusion in the proposed Subdivision Agreement for Caroga Gardens.
- ii. the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered, and
- iii. in the event the Subdivider wishes to proceed prior to the registration of Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-servicing.

10. Whereas it is desirable and expedient that certain works be undertaken, it is hereby recommended:

- i. That the report of the Commissioner of Engineering and the City Treasurer, appended hereto, recommending the construction of a finished roadway and concrete curbs and sidewalks on Upper Kenilworth Avenue from Limeridge Road to approximately 324 m southerly as Local Improvements on the initiative pursuant to Section 12 of the Local Improvement Act be adopted, and
- ii. That the City Clerk and City Treasurer be directed to give the necessary notice of the Council's intention to undertake these works, and
- iii. That the City Solicitor be directed to make application to the Ontario Municipal Board for approval of the described undertaking pursuant to Section 64 of the Ontario Municipal Board Act if no petition has been filed or an insufficient petition has been filed against the work as set forth in Section 12 of the Local Improvement Act.
- iv. That the Finance Committee be requested to recommend the method of financing.

11. Whereas Camco Inc. has anticipated expansion of their operation to the Hamilton plant on Longwood Road; and

Whereas Camco has determined that the most desirable location for this expansion involves a new railway siding immediately west of the intersection on Longwood Road and Aberdeen Avenue,

It is therefore recommended that the Regional Commissioner of Engineering be authorized to advise Camco Inc. that the City agrees in principle to permitting Camco Inc. to construct a railway siding across Longwood Road South and adjacent City owned lands.

NOTE: The specific section or roadway that will be traversed by the proposed siding is actually part of the Ministry of Transportation and Communications' ramp to/from Highway #403 and Longwood Road south of the Aberdeen Avenue intersection. In response to a request from Camco, to consider this proposal, the Ministry of Transportation and Communications has agreed to Camco's proposal in principle.

In principle, it is understood by Camco that as a private siding initiated and requested by them, Camco will be responsible for 100% of all construction and maintenance of the railway crossing.

This matter has been reviewed by the Regional Engineering Department and the City of Hamilton Traffic Department and the following points have been brought to Camco's attention and agreed to as conditions for the approval to construct and maintain the railway crossing.

- (a) Camco will have to formally submit an application to the City to build a siding over Longwood Road South and adjacent City lands with detailed plans as to what will be built.
- (b) The site is zoned heavy industrial therefore there are no requirements for a Site Plan Agreement. A building permit will not be issued until after the Railway Crossing Agreement is finalized.

Staff from both the Engineering Department and the Traffic Department have concluded that this proposed siding would not interfere with traffic; but in fact would improve traffic conditions along Longwood Road by removing the conflicting cross movements of Camco's internal material handling arrangements.

12. That the City Solicitor be directed to proceed with the preparation of a by-law to widen Gardiner Drive by incorporating therein a 0.3 metre Reserve known as Block 10, Plan 62M-333 being a strip of land 0.3 m wide by about 34.5 m long.

NOTE: The Regional Department of Finance and the City Treasury Department advise that the owner of the abutting lands, Shelley Construction Ltd. has satisfied all the requirements associated with costs of Regional and City Services on the abutting portion of Gardiner Drive. It is now appropriate to remove the 0.3 m reserve to provide access to the abutting lands.

13. That:

- i. The Regional Commissioner of Engineering be authorized and directed to reconstruct the retaining wall on the road allowance of the east leg of Ravenscliffe Avenue adjacent to municipal number 26 at an estimated cost of \$20 000.
- ii. The Finance Committee be requested to recommend the method of financing.

NOTE: The above noted wall has deteriorated such that it could collapse and endanger a portion of Ravenscliffe Avenue. Records do not indicate the exact construction date, however, a portion of the wall to the south of this one was reconstructed in 1936 by the City of Hamilton. The wall is completely on the road allowance and appears to be the responsibility of the City. Staff was made aware of the deteriorating condition of the wall by residents in the abutting home who are concerned for the safety of children playing in the area.

The Public Works Department have taken steps to make the handrail safe and barricade a portion of the road to ensure that large vehicles will not increase the possibility of collapse of the wall.

14. That the Director of Public Works be authorized and directed to undertake maintenance work to Ferguson Avenue between Wilson and Barton Streets. The maintenance work is to include spray patching and a slurry seal application.

NOTE: At the request of the Transport and Environment Committee, the Director of Public Works, the Director of Street Maintenance Operations and a representative from the Regional Engineering Department reviewed the condition of Ferguson Avenue between Wilson and Barton Streets. It was agreed that it would be expedient to undertake the following maintenance work.

The road will be spray patched where cracks, depressions or potholes are present and any high patches will be cut back. A slurry seal application will then be placed on the road. These operations will improve the surface of the roadway and will extend the life of the roadway.

There are sufficient funds in the Public Works budget to undertake the spray patching and the Local Roads by Region budget has sufficient funds to undertake the slurry seal application. It is understood that these works will be completed at no direct expense to the abutting owners.

15. That the City lease a portion of City owned land having a frontage adjacent to 157 Main Street East of 7m more or less (23 feet) by a depth of 7.3m more or less (24 feet) to Ordway Restaurants (1981) Ltd. for use as a boulevard cafe, subject to the following conditions:

- i. The lease shall be an annual lease from year to year subject to municipal requirements.
- ii. The annual fee shall be \$1,050 plus taxes estimated to be \$510 for the current year.
- iii. The tenant shall enter into an indemnification agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- iv. The cafe area under lease shall be suitably designated apart from a 5 foot pedestrian walkway along the easterly limits of the said area, and all existing improvements thereon shall be retained in good condition.
- v. The City Solicitor be authorized to prepare the necessary lease for execution.

NOTE: The subject parcel is part of a parcel operated by the City Parking Authority. It abuts the applicant's restaurant at 157 Main Street East and is presently used as a pedestrian walkway to the parking facility.

Staff has received Mr. Wm. Cottrell's cooperation in respect of this recommendation with the understanding that:

- (a) a 5 foot walkway will be retained as indicated plan and suitably designated apart from the cafe area, and
- (b) the redevelopment of the area will be effected without cause to the Authority.

16. That the Offer from G. Malatesta to purchase a parcel of City owned land 25' x 20' abutting the south boundary of the property known as 145 Reid Avenue South for the sum of \$2,500 be approved.

NOTE: Mr. Gaetano Malatesta, owner of 145 Reid Avenue South, approached the Real Estate Department with a request to purchase a portion of city owned land that abuts the southern limits of his property. The land in question is 25 feet by 20 feet and forms a part of flat and sloping land purchased by the City for the Red Hill Creek Drainage area and open space purposes.

Mr. Malatesta is presently demolishing a dwelling at 145 Reid Avenue south and together with the City owned land is planning to erect a one story ranch style bungalow with attached garage on the site. The purchase of the subject land from the City would increase Mr. Malatesta's frontage on Reid Avenue South from 49 feet to 74 feet.

The Planning and Engineering Departments have advised that Mr. Malatesta's proposal is acceptable subject to the structure conforming to the Zoning By-law and approval of the development by the Hamilton Region Conservation Authority.

Staff considers the purchase price of the land to represent fair market value.

17. That the Offer from S. Wise Construction Ltd. to purchase a one foot reserve along the south limit of Landron Drive described as Parts 3 and 8 on Reference Plan 62R-6447 for the sum of \$1.00 be approved.
18. That approval be given for the sale of surplus City lands on Confederation Drive designated as:
- i. Parts 1, 2 and 3, 62R-6397 containing 3,084.1 square metres and
 - ii. Part 9, 62R-6372 containing 3,600.79 square metres

to Oshawa Holdings Limited for the price of \$27,547 and \$44,490 respectively.

NOTE: A certified deposit cheque in the sum of \$7,237 is on deposit with the Treasury. Proceeds from the sale will be credited to account #0282-02.

On April 27th, 1982 approval in principle was given to the sale of these lands by City Council's adoption of Item No. 11 of the 8th Report of the Transport and Environment Committee.

The sale of these lands to Oshawa Holdings Limited will enable the construction of truck dock loading facilities to accommodate Langs Foods and which will eliminate the need for the Beach Spur Track. The Canadian Transport Commission has approved the abandonment of this spur and it is now in the process of being removed by C.N.R.

19. That Council respond favourably to the invitation of Regional Council for the City of Hamilton to appoint Mr. L. Sage to be a member of the Regional Technical Advisory Committee on GO ALRT, to serve as liaison between the Regional Technical Advisory Committee and the Council of the Corporation of the City of Hamilton; and

That Council request that Alderman Henry Merling be appointed as a second representative of the City of Hamilton to serve, along with Mr. Sage, as a liaison between the Regional Technical Advisory Committee and the Council of the Corporation of the City of Hamilton.

20. That the application by the Chief Noise Control Officer to the Canada Ontario Employment Development Program (C.O.E.D.) to hire six people to conduct a noise survey in the area north of Barton Street and east of Wellington Street which is currently exempt from the City of Hamilton Noise By-law 79-272 be endorsed, and forwarded to the Region with the request that it be included in their list of submissions to C.O.E.D.

NOTE: Several years ago, at the suggestion of the Ministry of the Environment, an area of the City from Wellington Street to Grays Road and North of Barton Street was exempted from the Noise By-law #79-272.

The Ministry at that time said that they would study this area which is a mix of residences and industry and make a recommendation to the Pollution Control Committee on how to administer the by-law in this section of the City.

Since that time through budget cuts the Ministry no longer has the staff to carry out this study. Mr. Forde, the Chief Noise Control Officer for the City of Hamilton believes that a noise survey in this area could be conducted providing sufficient staff is made available through the C.O.E.D. application.

21. For the information of Council, the Transport and Environment Committee, at its meeting held Monday, May 2, 1983, appointed Mrs. Mavis Tait to serve as a citizen member on the Pollution Control Sub-Committee. The Committee also amended the membership of the Pollution Control Sub-Committee to include a representative of the Chamber of Commerce. The Chamber's representative will be Mr. John Buschhawsen.

NOTE: The appointment of Mrs. Tait was made to replace the appointment of Mr. George Menzies who informed the Committee that he would be unable to serve on the Pollution Control Sub-Committee.

22. That leave be granted to introduce the following bills:

- (a) A-36 By-law to amend By-law No. 66-100 To Regulate Traffic
- (b) A-37 By-law to amend By-law No. 66-100 To Regulate Traffic.

RESPECTFULLY SUBMITTED

ALDERMAN H. MERLING, CHAIRMAN

R. C. Prowse, Secretary

May, 2, 1982
Attachs.

SCHEDULES 'E', 'F' & 'G'

CAROGA GARDENS IN GILBERT NEIGHBOURHOOD,

ENGINEER'S
DESCRIPTION OF WORKS
AND
ESTIMATE OF COSTS

Prepared by:

WYLLIE & UFNAL LIMITED
Consulting Professional Engineers
Toronto, Ottawa, Hamilton

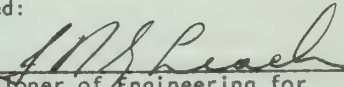


Signature

25 April 83

Date

Approved:



Commissioner of Engineering for
The Regional Municipality of
Hamilton-Wentworth

April 26/83

Date

ONTARIO LAND CORPORATION
60 Bloor Street West, 10th Floor,
Toronto, Ontario. M4W 3K7

SCHEDULE 'E'

CAROGA GARDENS IN GILBERT NEIGHBOURHOOD

Description of Works and Estimate of Costs

Requirements for Boundary Streets:

Part 'A' - Work to be installed and paid for by the Owner.

1.	Curb & Sidewalk	\$ Nil
2.	Approaches	\$ Nil
	TOTAL PART 'A'	<u>\$ Nil</u>

Part 'B' - Local Improvements.

1.	Final Roads	\$ Nil
	TOTAL PART 'B'	<u>\$ Nil</u>
	TOTAL SCHEDULE 'E'	<u>\$ Nil</u>

CAROGA GARDENS IN GILBERT NEIGHBOURHOOD

	City's Share \$	Owner's Share \$
Description of Works and Estimate of Costs.		
Requirements for other than Boundary Streets, Work to be installed by the Owner and cost shared between Owner and City.		
1. <u>CATCHBASINS & CONNECTIONS</u>		
8 Single Catchbasins @ \$1000.00 ea.		8,000.00
Note: All catchbasins and connections to be constructed within one month of the completion of the sewers and watermains.		
TOTAL CATCHBASINS & CONNECTIONS	<u>Nil</u>	<u>8,000.00</u>
2. <u>PRELIMINARY ROADWAYS</u>		
Including excavation of earth, rock, top soil and construction of earth embankments, granular bases.		
Caroga Drive - Sta. 0+000 to Sta. 0+250	-	34,875.00 (100%)
Equivalent to 250 metres @ \$139.50		
Caroga Drive - Sta. 0+250 to Sta. 0+275	-	3,487.50 (100%)
Equivalent to 25 metres @ \$139.50		
Note: All preliminary roads must be constructed within two (2) months of the completion of sewers and watermains.		
TOTAL PRELIMINARY ROADS	<u>Nil</u>	<u>38,362.50</u>
3. <u>SIDEWALKS AND CURBS</u>		
5' Combined Walk and Curb		
Caroga Drive - Sta. 0+000 to Sta. 0+250		
Equivalent to 250 metres @ \$102.45	-	25,612.50 (100%)
Caroga Drive - Sta. 0+250 to Sta. 0+275		
Equivalent to 25 metres @ \$102.45	-	2,561.25 (100%)
Note: All sidewalks and curbs to be constructed within six (6) months of the completion of sewer and water services.		
TOTAL SIDEWALKS & CURBS	<u>Nil</u>	<u>28,173.75</u>

CAROGA GARDENS IN GILBERT NEIGHBOURHOOD

	<u>City's Share</u> \$	<u>Owner's Share</u> \$
4. <u>FINISHED ROADWAYS</u>		
7.5 metres wide Deep Strength Asphalt 150 mm thick		
Caroga Drive - Sta. 0+000 to Sta. 0+250 Equivalent to 250 metres @ \$122.63	-	30,657.50 (100%)
Caroga Drive - Sta. 0+250 to Sta. 0+275 Equivalent to 25 metres @ \$122.63	-	3,065.75
<p>Note: The asphalt binder course for all final roads must be constructed within 15 months of the completion of sewers or by June 15 of the following year if the 15 month period ends after Oct. 15</p> <p>The surface course for all final roads must be installed at least one year after the installation of the asphalt binder course.</p>		
TOTAL FINISHED ROADWAYS	<u>Nil</u>	<u>33,723.25</u>
TOTAL SCHEDULE 'F'	<u>Nil</u>	<u>108,259.50</u>

SCHEDULE 'G'

CAROGA GARDENS IN GILBERT NEIGHBOURHOOD

Description of Works and Estimate of Costs
Requirements for Sodding and Planting Trees

PART "A"

Works to be carried out by and paid for by the Owner.

	<u>Owner's Share</u>
	\$
1. <u>SODDING</u>	
All Interior Streets described under "Schedule "F"	
Cost calculation 1,850 m ² @ \$2.00	3,700.00
Maintenance 15%	<u>555.00</u>
TOTAL PART "A"	<u>4,255.00</u>

Note: All seeding or sodding to be planted within six (6) months of completion of sidewalks and curbs on the individual roadways.

PART "B"

Works to be installed by the City and paid for by the Owner.

1. STREET TREES

All Interior Streets described under Schedule "F".

Cost calculated at \$1.00 per metre for the total frontage and flankage of 532.148 metres.	<u>532.15</u>
TOTAL PART "B"	<u>532.15</u>

TOTAL SCHEDULE "G"	<u>4,787.15</u>
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SCHEDULES 'E', 'F' & 'G'

CAROGA GARDENS IN GILBERT NEIGHBOURHOOD

SUMMARY SHEET

Total
\$

1. City's Share

Services to be installed by the Owner and paid for by the City.

Type of Work	Construction Cost	Inspection 2%	Maintenance 3%	Engineering 10%	Total \$
Catch Basins & Connections	-	-	-	-	-
Preliminary Roadways	Nil	-	-	-	-
Sidewalks & Curbs	Nil	-	-	-	-
Finished Roadways	Nil	-	-	-	-
<u>TOTAL CITY'S SHARE</u>					<u>Nil</u>

SCHEDULES 'E', 'F' & 'G'

CAROGA GARDENS IN GILBERT NEIGHBOURHOOD

SUMMARY SHEET

2. Owner's Share

	Total
(a) Local improvements	\$
(b) Tree Planting	Nil
(c) Replacing of damaged or missing monuments and standard iron bars	532.15
(d) Maintenance of the Preliminary Roadways - Equivalent to 527.516 metres frontage @ \$2.15	500.00
(e) Street Name Signs - 2 Corner Lots @ \$38.00/corner lot	1,134.16
(f) Boulevard Sodding (including \$555.00 Maintenance)	76.00
(g) Services to be installed and paid for by the Subdivider:	4,255.00
	Sub-Total 6,497.31

Type of Work	Construction Cost	Inspection 2%	Maintenance 3%	Engineering 10%	Total \$
Catch Basins and Connections	8,000.00	160.00	240.00	800.00	9,200.00
Preliminary Roadways	38,362.50	767.25	Nil	3,836.25	42,966.00
Sidewalks & Curbs	28,173.75	563.48	845.21	2,817.38	32,399.82
Finished Roadways	33,723.25	674.47	1,011.70	3,372.33	38,781.75

TOTAL OWNER'S SHARE

129,844.88

Total City's Share	Nil
Total Owner's Share	129,844.88
Grand Total of all Work	129,844.88

REPORT ON LOCAL IMPROVEMENTS

To the Chairman and Members of the Transport and Environment Committee

Members of the Committee:

The following works are recommended to be undertaken as Local Improvements under "The Local Improvement Act".

Character or description of work or undertaking:

Name of Street upon which work is to be Constructed	Between the following Streets or Points	Project Number	Estimated Lifetime of Work in Years	Estimated Gross Cost of Work	Share or Portion of Cost which should be Borne by the Lands Abutting directly on the Work to be Debentured	Share or Portion of that should be Borne by the Corporation	Reduction Which Ought to be Made under Section 28 of the Act	Aggregate Amount of such Reduction	Estimated Cost Per Metre to be Rated
1. 8.5m to 11.5m wide finished roadway and concrete curbs on Upper Kenilworth Ave. (Section 12 L.I.A.)	from Limeridge Rd. to approximately 324 m southerly	821-40H	20	\$245 000	\$62 770	\$182 230	NIL	NIL	\$126
2. 1.5m wide independent concrete sidewalk (west side only) Section 12 L.I.A.	from Limeridge Rd. to approximately 141 m southerly	821-40S	20	\$10 000	\$5 767	\$4 235	NIL	NIL	\$42.50

- Estimated cost per metre increased by approx. 160% if debentured over 15 years.

DATED at Hamilton this day of

A.D., 19

W. H. McFarland

Treasurer and Commissioner of Finance.

J. R. G. Leach

Commissioner of Engineering

Referred to in Section 10 of the Ninth Report of the Transport and Environment Committee.

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **ELEVENTH** Report and respectfully recommends:

1. Approval of Change Order No. 1 in favour of Braun's Nursery Limited in the amount of \$4,800. for additional inlaid block work required at the former Sanford Avenue Fire Station site.
2. That permission be granted to the Portuguese Association to sell food and drink in connection with their Feast of Saint Michael the Archangel Celebrations in Dundurn Park on June 10, 11 and 12, 1983.
3. That permission be granted to the Hamilton Disarmament Coalition to hold a Festival of Peace in Dundurn Park on Saturday, June 18, 1983 between the hours of 11:00 a.m. and 7:00 p.m. and further to sell souvenirs of the event, subject to terms and conditions as set by the Director of Culture and Recreation.
4. That persons who purchased a 1982-83 ski membership for either King's Forest or Chedoke Winter Sports Parks be offered a 25% credit on the purchase of a 1983-84 ski membership, providing same is purchased prior to December 31, 1983.

NOTE: The committee wishes to advise that numerous requests have been received for membership refunds, or credits, as a result of the extremely poor 1982-83 ski season.

5. (a) Approval of the appointment of du Toit Associates Limited as consultants for the development of the Culture and Recreation Master Plan at a maximum cost of \$100,000.00, subject to 50% cost-sharing by the Ministry of Tourism and Recreation.
- (b) That the Finance Committee be requested to recommend the method of financing this expenditure.
6. That Mr. H. Mark, Chairman, or his nominee, and Mrs. G. Simmons, of the Local Architectural Conservation Advisory Committee, be authorized to attend the 1983 LACAC Conference being held at the University of Ottawa, Ottawa, Ontario, June 23 to 26, 1983.

NOTE: The approximate cost per person for attendance is \$280.00.

7. (a) That the number of citizen members on the Local Architectural Conservation Advisory Committee be increased from six (6) to seven (7).
- (b) That M. J. Rigby, be appointed a member of the Hamilton Local Architectural Conservation Advisory Committee for the term ending November 30, 1985.
- (c) That the City Solicitor be authorized and directed to prepare the necessary by-law to amend By-law 83-73 to provide for the increased membership of LACAC and the appointment of M. J. Rigby.
8. Approval of the awarding of the following contract:

TIGER SNAK FOODS LTD., Burlington, Ontario

Leasing and operation of food, drink and confectionary concessions at Bernie Arbour Stadium, Mohawk Sports Park, Gage Park, Dundurn Park Pavilion and Globe park in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

Term from May 1983 to February 28, 1988 at \$2,500.00 per year.

NOTE: Only tender received.

9. That the following special events, funded in total, or in part, by the Special Events Advisory Committee budget continue to receive funding for advertising and promotion for 1983:

- Winterfest Programme
- Around-the-Bay Road Race
- Victoria Day Celebrations
- Senior Citizens Programme
- July 1st Concert
- Summer Concert Series
- Santa Claus Parade
- Christmas Celebrations

That funding for advertising and promotion for the following events which are funded in part by the Special Events Advisory Committee, not be provided in 1983:

- International Airshow
- It's Your Day
- Festival of Friends
- Festitalia

NOTE: Members of Council are advised that the Special Events Advisory Committee has been requested to undertake to develop a consise policy respecting funding for advertising and promotion of special events, which policy can be applied to existing events presently sponsored by the Committee, as well as future events.

10. The Parks and Recreation Committee wishes to advise that the present agreement between the City of Hamilton and the City of Burlington relative to LaSalle Park provides for the respective Committees to meet annually to prepare a programme and budget for the following year, which shall include among other things an agreement on the split of the maintenance costs of the park. Since entering into the agreement in 1974, the maintenance costs have been shared on a 50/50 basis.

The committee wishes to advise that it has made no provision for the sharing of any of the maintenance costs for LaSalle Park for 1983.

The committee further wishes to advise that it has requested staff to undertake to establish a market value for the LaSalle Park lands and, upon receipt and review of this information, a further report and recommendation will be submitted to City Council with respect to the disposition of this property.

Respectfully submitted,

ALDERMAN B. HINKLEY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

J. J. Schatz
Secretary

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its **TENTH** Report and respectfully recommends:

1. Approval of the awarding of the following contract:

(a) GESTETNER INC., Hamilton, Ontario

Supply and delivery of fine paper for 1983 for various Civic
Departments for the total sum of \$33,797.29
Plus applicable taxes.

NOTE: Lower of two tenders.

(b) DOVER ELEVATOR, Hamilton, Ontario

To provide maintenance service for two passenger and three
freight elevators located in the Hamilton Convention Centre,
to commence May 19, 1983 and terminate December 31st, 1983
at \$1,588.95 per month \$11,917.13

NOTE: Only acceptable supplier.

2. Approval of the purchase of vehicles for various civic departments, as set forth in
schedule "A", attached.

3. Approval of the settlement of the following claims:

(a) On September 22, 1981, the City was served with a County Court Writ of Summons
naming Andrew Drennan and Lula Drennan as Plaintiffs and the City as Defendant.

The action was as a result of Mrs. Drennan falling on a City sidewalk on June 24,
1981, in which fall she suffered injury to her teeth, mouth, nose, neck and back,
requiring her to take time off work from her job as a real estate saleslady.

She claimed damages totalling \$67,750., and her husband claimed damages totalling
\$5,000.

The matter was set for trial during the week of April 25, 1983 and on Tuesday of
that week a pre-trial was held before His Honour Judge Sullivan. As a result of the
pre-trial, it is recommended that the claims of Mr. and Mrs. Drennan be settled in
the amount of \$11,800. inclusive of pre-judgement interest and costs.

- (b) On July 29, 1981, the City was served with a County Court Writ of Summons naming Mary Ruty as Plaintiff and the City as Defendant. The action was the result of Mrs. Ruty slipping on a grape and falling in the Farmer's Market on May 2, 1981.

She suffered an undisplaced fracture of her right knee cap requiring her to wear a cast for four weeks. She claimed damages totalling \$20,000.

The City brought Third Party proceedings against Sam Misale, Carmen Misale and Joseph Misale, operating as Sam's Produce, as the fall occurred in the vicinity of their stall.

A settlement has now been negotiated with Mrs. Ruty's solicitor and the solicitor for Sam's Produce, and it is recommended that Mrs. Ruty's claim be settled in the amount of \$3,200. inclusive of costs to be paid by the City.

4. Approval of the sale of a parcel of land containing approximately .270 acres of land, known as 96 Emerson Street to Bell Canada in the total amount of \$25,000. A deposit cheque in the amount of \$2,500. is being held by the Treasury Department. This Offer to Purchase to close on or before July 18, 1983.

This Offer to Purchase is conditional upon:

- (a) The quality of the soil being suitable in the opinion of the Purchaser to construct a remote line module on this site. The City hereby authorizes the Purchaser to enter onto the City lands and complete the necessary soil tests, on or before June 17th, 1983 in accordance with the Authority to Enter document.
- (b) The Purchaser obtaining on or before June 17th, 1983 confirmation from the City of Hamilton's Building Department that the property is validly zoned so that the Purchaser may use the property for the purposes of a Remote Line Module; in the event that any applications are necessary for zoning amendments or minor variances to zoning by-laws, the same shall be carried out diligently by the Purchaser at its expense and the Vendor shall fully co-operate with the Purchaser to facilitate such applications and shall execute any consents or other documents required for such purposes.
- (c) The Purchaser being able to obtain a final and binding decision for a minor variance from the Committee of Adjustment on or before June 30, 1983 which permits a side yard set-back along the southerly lot line of 4 feet instead of the required 25 foot set-back and if subject to terms and conditions, such terms and conditions being acceptable to the Purchaser. The Vendor hereby consents to the Purchaser making immediate application for such minor variance and agrees to forthwith execute any required consent form and shall co-operate and assist the Purchaser in making any such application.

This agreement may be terminated by the Purchaser if on or before June 17, 1983 he notifies the Vendor in writing by regular mail or delivery to the Vendor's address that he has been unable to obtain at his own expense a permit for the erection of a remote line module on this property. Upon receipt of this notice the Agreement shall become null and void and the Purchaser's deposit shall be returned to him in full without interest or penalty. If no such notice is received, this term of contract shall be valid and binding

whether or not such permit has been obtained.

In the event that any of the above conditions are not fulfilled, or not waived in writing by the Purchaser, prior to the date of closing of this transaction, this Agreement shall terminate, being null and void, and the deposit shall be returned by the Vendor to the Purchaser without interest or deduction for cancellation and the Vendor shall not be liable for any damages or costs.

5. Approval of an initial sum of \$39,500. for the purchase of furniture and equipment in 1983 to be financed from the Reserve for Capital Projects - Hamilton Convention Centre, Account No. 0280-46. This expenditure, which is part of a total amount of \$107,000. is provided for in the 1983-87 Capital Budget.

NOTE: This recommendation is made on the understanding that the Board of Directors of the Hamilton Convention Centre will be requested to authorize the individual capital purchases.

6. The 1982 realty tax reduction allowed to taxpayers whose homes were insulated with Urea Formaldehyde Foam, in accordance with Section 496 of The Municipal Act, as approved by City Council, with the adoption of Item 9 of the Eleventh Report of the Legislation Committee on Tuesday, April 26th, 1983, amounted to \$32,400.

The Finance Committee recommends that this matter be referred to the appropriate Ministries of both the Federal and Provincial Governments for full recovery of the costs involved.

7. Section 10 of the Ninth Report of the Transport and Environment Committee makes reference to the construction of local improvements on Upper Kenilworth Avenue and requests the Finance Committee to recommend the method of financing.

In this regard the Finance Committee recommends:

- (a) That the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval to construct a finished roadway and curbs on Upper Kenilworth Avenue at an estimated cost of owner's share \$62,770., as well as City's share \$182,230., by the issuance of debentures totalling \$245,000. for a period not to exceed 15 years.
 - (b) That application be made to the Regional Municipality of Hamilton-Wentworth for for consent to issue debentures in the total amount of \$245,000. for a term not to exceed 15 years.
8. Section 2 of the Ninth Report of the Transport and Environment Committee requests the Finance Committee to recommend the method of financing the cost of \$20,000. to reconstruct a retaining wall adjacent to 26 Ravenscliffe Avenue.

In this regard, the Finance Committee recommends that the estimated cost of \$20,000. to reconstruct the retaining wall on the road allowance of the east leg of Ravenscliffe Avenue be financed by a transfer from the Contingency Account to the Local Roads Account No. 0352-0660.

9. (a) Approval in principle of the proposal by the Hamilton Civic Theatre Foundation to

develop the former Main Library building and adjacent parking lot as a civic theatre, as set forth in the Foundation's proposal to the Finance Committee, dated April 21, 1983.

NOTE: The proposal involves renovations to the existing library building and the construction of new facilities on the adjacent parking lot, at a total project cost of approximately \$8,965,000. (including the value of the building and land which is to be the City's contribution to the project).

- (b) That exclusive right to the former Library building and adjacent parking lot be given to the Hamilton Civic Theatre Foundation for a period of six months until November 10th, 1983, during which time the Foundation will attempt to secure funding for the project from the Provincial and Federal Governments.

NOTE: Exclusive right to the former Library building does not include the use of the building during the six month period for it may well be that the building will be rented to various organizations on a weekly basis during that time.

- (c) Assuming adequate funding for the project is received, the committee would recommend that the Library building and adjacent parking lot be leased on a long-term basis to the Hamilton Civic Theatre Foundation on terms and conditions acceptable to City Council and to be defined at a future date.
 - (d) That the Hamilton Civic Theatre Foundation give some assurance to the City that the City will not in the future be responsible for any deficits resulting from the operation of the proposed theatre exclusive of that originating from taxes.
 - (e) That the Foundation report back to the Finance Committee by November 10, 1983, on the status of the project.
10. The Finance Committee advises of the receipt of the Financial Report for the Corporation of the City of Hamilton for the year 1982, as prepared by the City's Treasury Department and approved by MacGillivray and Co., the City's appointed auditors. Copies of this report have been forwarded to City Council and the Finance Committee recommends its adoption.
 11. Section 5 of the Eleventh Report of the Parks and Recreation Committee makes reference to the retaining of consultants to develop the Culture and Recreation Master Plan at a maximum cost of \$100,000. and requests the Finance Committee to recommend the method of financing.

In this regard, the Finance Committee recommends that the City's net cost of this project in the amount of \$50,000., being the gross cost of \$100,000. minus \$50,000. cost-sharing by the Ministry of Tourism and Recreation, be financed from the 1984 capital levy.

12. That the Chief Administrative Officer in consultation with the Regional Economic Development Commissioner develop a policy, for consideration by City Council, which would provide for free parking in the downtown municipally owned parking lots to be offered free of charge to out-of-town delegates attending conventions in the Hamilton Convention Centre.

13. That City Council underwrite the cost of parking in the municipally owned parking lots in the downtown area, for out-of-town delegates to the 1984 Ontario New Democratic Party Convention and further that the appropriate civic staff be authorized and directed to make whatever arrangements are necessary to give effect to this resolution.

Respectfully submitted,

ALDERMAN P. J. PETERSON, CHAIRMAN
FINANCE COMMITTEE

J. J. Schatz, Secretary
May 5th, 1983
attchm.

EASTGATE FORD SALES & SERVICE, Hamilton, Ontario.

Supply & delivery of One (1) 3/4 Ton Propane Fuel Ford F250 Pick-up Truck, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the gross sum of.....\$11,314.00
Less trade-in allowance on #9021, 1974 Ford #150 Van..... 250.00
Price less trade-in.....\$11,064.00
License Transfer..... 5.00
Total Net Price.....\$11,069.00

Note: Lowest of 4 tenders received.

ROBERT SLESSOR PONTIAC BUICK INC., Grimsby, Ontario.

Supply & delivery of Two (2) 3/4 Ton Crew Cab, Propane Fuel, GMC Pick-up Trucks, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:
One (1) 3/4 Ton GMC Crew Cab Truck.....\$12,845.00
Less trade-in allowance on #9324, 1975 Dodge D200..... 860.00
Price less trade-in..... 11,985.00
License Transfer..... 5.00
Total Net Price.....\$11,990.00

One (1) 3/4 Ton GMC Crew Cab Truck, (No trade-in).....\$12,845.00
License Plates..... 105.00
Total Net Price.....\$12,950.00

Note: Lowest of 4 tenders received.

Supply & delivery of Five (5) 7 x 9 Low Platform Stake Dump Body Propane Fuel Trucks, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:
One (1) GMC Stake Dump Body Truck.....\$15,965.00
Less trade-in on #9266, 1976 Dodge Dump..... 1,460.00
Price less trade-in..... 14,505.00
License Transfer..... 5.00
Total Net Price.....\$14,510.00

One (1) GMC Stake Dump Body Truck.....\$15,965.00
Less trade-in on #9271, 1977 Dodge Dump..... 1,560.00
Price less trade-in..... 14,405.00
License Transfer..... 5.00
Total Net Price.....\$14,410.00

Three (3) GMC Stake Dump Body Trucks, Without Trade-ins
at \$15,965.00 Each.....\$47,895.00
License Transfers at \$5.00 Each..... 15.00
Total Net Price.....\$47,910.00

Note: Lower of 2 acceptable tenders received.

MAPLE LEAF INDUSTRIAL SALES LTD., Stoney Creek, Ontario.

Supply & delivery of Two (2) 44 HP Diesel Industrial Tractors, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

One (1) Ford 44HP Diesel Tractor.....	\$18,965.00
Three Point Hitch.....	768.00
	<u>\$19,733.00</u>
Less trade-in #9540, 1972 International 2400.....	1,500.00
Price less trade-in.....	<u>\$18,233.00</u>
Ontario Retail Sales Tax 7%.....	1,276.31
Total Net Price.....	<u>\$19,509.31</u>

One (1) Ford 44HP Diesel Tractor.....	\$18,965.00
Less trade-in #9545, 1973 John Deere 300.....	2,000.00
Price less trade-in.....	<u>\$16,965.00</u>
Ontario Retail Sales Tax 7%.....	1,187.55
Total Net Price.....	<u>\$18,152.55</u>

Note: Lowest of 3 tenders received.

Supply & delivery of One (1) Clark Bobcat Skid Steer Loader in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the gross sum of.....	\$23,900.00
Less trade-in #9637, 1972 Bombardier.....	2,000.00
Price less trade-in.....	<u>\$21,900.00</u>
Ontario Retail Sales Tax 7%.....	1,533.00
Total Net Price.....	<u>\$23,433.00</u>

Note: Lower of 2 tenders received.

ARENAQUIP LTD., Oakville, Ontario.

Supply & delivery of a Propane Ice Resurfacer Complete Ice Master SP83, Mark II, an Ice Master TM80 Resurfacer Only, and 8 Additional Knives, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the total sum of.....	\$29,612.36
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Note: Only tender received.

HOLLAND CHEVROLET OLDSMOBILE INC., Burlington, Ontario.

Supply & delivery of One (1) Four Door Chevrolet Impala Sedan, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender, Without Trade-in, for the gross sum of.....	\$9,644.00
Ontario Retail Sales Tax 7%.....	675.08
License Transfer.....	5.00
Total Net Price.....	<u>10,324.08</u>

Note: Lowest of 4 tenders received.

HOLLAND CHEVROLET OLDSMOBILE INC., Burlington, Ontario.

Supply & delivery of Ten (10) Propane Fuel, 6 Cylinder Compact Sedans, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

One (1) Citation Four Door Sedan.....	\$8,385.00
Less trade-in #1317, 1978 Dodge Monaco.....	1,190.00
Price less trade-in.....	7,195.00
License Transfer.....	5.00
Total Net Price.....	\$7,200.00

One (1) Citation Two Door Sedan.....	\$8,280.00
Less trade-in #1303, 1978 Plymouth Volare.....	1,400.00
Price less trade-in.....	6,880.00
License Transfer.....	5.00
Total Net Price.....	\$6,885.00

One (1) Citation Two Door Sedan.....	\$8,280.00
Less trade-in #1319, 1978 Plymouth Volare.....	1,400.00
Price less trade-in.....	6,880.00
License Transfer.....	5.00
Total Net Price.....	\$6,885.00

One (1) Citation Two Door Sedan.....	\$8,280.00
Less trade-in #1340, 1978 Dodge Aspen.....	1,550.00
Price less trade-in.....	6,730.00
License Transfer.....	5.00
Total Net Price.....	\$6,735.00

One (1) Citation Two Door Sedan.....	\$8,280.00
Less trade-in #1388, 1979 Ford Fairmount.....	2,020.00
Price less trade-in.....	6,260.00
License Transfer.....	5.00
Total Net Price.....	\$6,265.00

One (1) Citation Two Door Sedan.....	\$8,280.00
Less trade-in #1418, 1979 Ford Fairmount.....	2,080.00
Price less trade-in.....	6,200.00
License Transfer.....	5.00
Total Net Price.....	\$6,205.00

One (1) Citation Two Door Sedan.....	\$8,280.00
Less trade-in #1444, 1979 Ford Fairmount.....	2,080.00
Price less trade-in.....	6,200.00
License Transfer.....	5.00
Total Net Price.....	\$6,205.00

One (1) Citation Two Door Sedan.....	\$8,280.00
Less trade-in #1445, 1979 Ford Fairmount.....	2,080.00
Price less trade-in.....	6,200.00
License Transfer.....	5.00
Total Net Price.....	\$6,205.00

HOLLAND CHEVROLET OLDSMOBILE INC. (Cont'd)

One (1) Citation Two Door Sedan.....	\$8,280.00
Less trade-in #1423, 1976 Ford Maverick.....	1,700.00
Price less trade-in.....	6,580.00
License Transfer.....	5.00
Total Net Price.....	\$6,585.00

One (1) Citation Two Door Sedan.....	\$8,280.00
Less trade-in #1424, 1976 Ford Maverick.....	1,700.00
Price less trade-in.....	6,580.00
License Transfer.....	5.00
Total Net Price.....	\$6,585.00

Note: Lowest of 4 tenders received.

ROBERT SLESSOR PONTIAC BUICK INC., Grimsby, Ontario.

Supply & delivery of One (1) 4 Cylinder, Four Door Pontiac Acadian Sedan, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the gross sum of.....

.....	\$6,248.00
Less trade-in #1390, 1976 Mercury Rideau.....	760.00
Price less trade-in.....	5,488.00
Ontario Retail Sales Tax 7%.....	384.16
License Transfer.....	5.00
Total Net Price.....	\$5,877.16

Note: Lowest of 7 tenders received.

MAURICE CARTER CHEVROLET OLDSMOBILE LTD., Hamilton, Ontario.

Supply & delivery of Ten (10) 4 Cylinder, Two Door, Chevrolet Scooters, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

One (1) Chevrolet Scooter Two Door Sedan.....	\$5,916.00
Less trade-in #1301, 1977 Ford Maverick.....	1,860.00
Price less trade-in.....	4,056.00
Ontario Retail Sales Tax 7%.....	283.92
License Transfer.....	5.00
Total Net Price.....	\$4,344.92

One (1) Chevrolet Scooter Two Door Sedan.....	\$5,916.00
Less trade-in #1304, 1977 Ford Maverick.....	1,860.00
Price less trade-in.....	4,056.00
Ontario Retail Sales Tax 7%.....	283.92
License Transfer.....	5.00
Total Net Price.....	\$4,344.92

One (1) Chevrolet Scooter Two Door Sedan.....	\$5,916.00
Less trade-in #1312, 1977 Ford Maverick.....	1,860.00
Price less trade-in.....	4,056.00
Ontario Retail Sales Tax 7%.....	283.92
License Transfer.....	5.00
Total Net Price.....	\$4,344.92

MAURICE CARTER CHEVROLET OLDSMOBILE LTD. (Cont'd)

One (1) Chevrolet Scooter Two Door Sedan.....	\$5,916.00
Less trade-in #1316, 1977 Ford Maverick.....	<u>1,860.00</u>
Price less trade-in.....	4,056.00
Ontario Retail Sales Tax 7%.....	283.92
License Transfer.....	<u>5.00</u>
Total Net Price.....	\$4,344.92

One (1) Chevrolet Scooter Two Door Sedan.....	\$5,916.00
Less trade-in #1318, 1977 Ford Maverick.....	<u>1,860.00</u>
Price less trade-in.....	4,056.00
Ontario Retail Sales Tax 7%.....	283.92
License Transfer.....	<u>5.00</u>
Total Net Price.....	\$4,344.92

One (1) Chevrolet Scooter Two Door Sedan.....	\$5,916.00
Less trade-in #1323, 1977 Ford Maverick.....	<u>1,860.00</u>
Price less trade-in.....	4,056.00
Ontario Retail Sales Tax 7%.....	283.92
License Transfer.....	<u>5.00</u>
Total Net Price.....	\$4,344.92

One (1) Chevrolet Scooter Two Door Sedan.....	\$5,916.00
Less trade-in #1326, 1977 Ford Maverick.....	<u>1,860.00</u>
Price less trade-in.....	4,056.00
Ontario Retail Sales Tax 7%.....	283.92
License Transfer.....	<u>5.00</u>
Total Net Price.....	\$4,344.92

One (1) Chevrolet Scooter Two Door Sedan.....	\$5,916.00
Less trade-in #1421, 1976 Ford Maverick.....	<u>1,535.00</u>
Price less trade-in.....	4,381.00
Ontario Retail Sales Tax 7%.....	306.67
License Transfer.....	<u>5.00</u>
Total Net Price.....	\$4,692.67

Two (2) Chevrolet Scooter Two Door Sedans, No Trade-ins, at \$5,916.00 Each.....	\$11,832.00
Ontario Retail Sales Tax 7%.....	828.24
License Plates at \$38.00 each.....	<u>76.00</u>
Total Net Price.....	\$12,736.24

Note: Lowest of 7 tenders received.

HOLLAND CHEVROLET OLDSMOBILE INC., Burlington, Ontario.

Supply & delivery of One (1) Chevrolet Scooter Two Door Sedan in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the gross sum of.....	\$6,086.00
Less trade-in #1422, 1976 Ford Maverick.....	<u>1,700.00</u>
Price less trade-in.....	4,386.00
Ontario Retail Sales Tax 7%.....	307.02
License Transfer.....	<u>5.00</u>
Total Net Price.....	\$4,698.02

Note: Lowest of 7 tenders received.

CANAMEQUE EQUIPMENT CO. LTD., (1982), Brampton, Ontario.

Supply & Delivery of One (1) Mobil Model 2-TE-4 Motorized
Street Sweeper, without Trade-in, in accordance with
specifications issued by the Director of Purchasing and
Vendor's Tender for the gross sum of.....\$81,000.00
Ontario Retail Sales Tax 7%..... 5,670.00
Total Net Price.....\$86,670.00

Note: Lowest of 3 tenders received.

FRINK CANADA, Cambridge, Ontario.

Supply & Delivery of One (1) Diesel Morbark EgerBeever
Tree Chipper, in accordance with specifications issued by
the Director of Purchasing and Vendor's Tender, without
trade-in, for the gross sum of.....\$19,918.00
Ontario Retail Sales Tax 7%..... 1,394.26
Total Net Price.....\$21,312.26

Note: Lower of 2 tenders received.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TWELFTH** Report for 1983 and respectfully recommends:

1. That approval be given to **Zoning Application 83-32, City of Hamilton Real Estate Department on behalf of the Regional Municipality of Hamilton-Wentworth, owner**, to establish a change in zoning for property on the north side of Rymal Road East in the area west of Nebo Road, as shown on the attached plan marked as APPENDIX "A" on the following basis:
 - (a) That the lands shown as Block "1" be rezoned from "AA" (Agricultural) District to "M-11" (Prestige Industrial) District;
 - (b) That the lands shown as Block "2" be rezoned from "M-12" (Prestige Industrial) District to "M-11" (Prestige Industrial) District;
 - (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-59D and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk;
 - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and
 - (e) That the Mountain Industrial Area Plan be amended accordingly.

Explanatory Note - The purpose of the by-law is to provide for a change in zoning from "AA" (Agricultural) District and "M-12" (Prestige Industrial) District to "M-11" (Prestige Industrial) District to permit the development of vacant lands on Rymal Road East in the area west of Nebo Road, as shown on the attached APPENDIX "A" as Blocks 1 and 2.

2. That approval be given to **City Initiative CI-82-P**, to amend Zoning By-law No. 6593 with respect to SECTION SIX - GENERAL PROVISIONS PROHIBITION AS TO USE, on the following basis:
 - (a) That a provision be included in Zoning By-law No. 6593 by adding a clause to the following effect:

LOTS IN MULTIPLE ZONING DISTRICTS

- 6.(10) A proposed use will be permitted and a building or structure may be erected, altered, extended or enlarged where it is situated on a lot or tract of land which contains one or more

zoning districts and the building or structure may be located in one or more of the districts provided:

- (i) the use is permitted in each of the respective zoning districts;
 - (ii) the lot or tract of land has sufficient width and area to meet the least stringent requirements of either zoning district; and
 - (iii) all other requirements of By-law No. 6593 of the respective zoning district or districts are satisfied.
- (b) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and to make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk.
- (c) That the proposed change to the By-law is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The by-law will permit buildings and structures on lots or tracts of land regulated by more than one zoning district, as long as the proposed use is permitted in each of the districts.

3. That approval be given to **Zoning Application 83-24, Sackville Hill Builders Supply Limited, owner**, to establish a change in zoning and modifications to the zoning regulations applicable to property located on the north side of Lawrence Road, east of the Kenilworth Avenue Interchange, as shown on the attached plan marked as APPENDIX "B" on the following basis:
- (a) That Zoning By-law No. 6593 as amended by By-law No. 81-154 be further amended as follows:
 - (i) that the provisions of sections 2, 3 and 5 of By-law No. 81-154 shall not apply to lands shown as Block "2".
 - (b) That Block "1" as shown on the attached APPENDIX "B" be rezoned from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District;
 - (c) That the "H" (Community Shopping and Commercial, etc.) District provisions as contained in Section 14 of Zoning By-law No. 6593 applicable to those lands shown as Blocks "1" and "2" on the attached APPENDIX "B" be modified to include the following variances as special requirements:
 - (i) that notwithstanding the provisions of Section 14(1) of Zoning By-law No. 6593 only an office use, and ancilliary sales, storage and services related to a cable television communications and installations business use shall be permitted;
 - (ii) that notwithstanding the provisions of Section 18(3)(iv) of By-law No. 6593, off-street parking spaces shall be provided on the basis of one space for each and every 31.0 m² of gross floor area of the building in excess of the first 450.0 m²;

- (iii) that there shall be provided and maintained adjacent to the easterly side lot line and within the "H" District,
 - 1. a landscaped planting strip not less than 3.0 m wide; and
 - 2. located within the planting strip a privacy fence not less than 1.2 m in height to a maximum of 2.0 m in height.
- (iv) no parking space shall be permitted in the required front yard; and except as to the area required for an access driveway, there shall be provided and maintained a planting strip equal in depth to that of the required front yard abutting the street line of Lawrence Road;
- (v) that notwithstanding the provisions of Section 4(3)(a) of By-law No. 6593, a commercial use shall be permitted on the same lot with an existing residential use;
- (vi) that the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-829 and that the subject land on Zoning District Map E-66 be notated S-829;
- (vii) that the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-66 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk;
- (viii) that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and
- (ix) that By-law No. 79-275 be amended to establish Site Plan Control on the lands shown as Block "1" on the attached APPENDIX "B".

Explanatory Note - The by-law provides for a change in zoning from "C" (Urban Protected Residential, etc.) District to "H" (Commercial Shopping and Commercial, etc.) District modified, for property located on the north side of Lawrence Road, east of the Kenilworth Avenue Interchange, as shown on Zoning District Map E-66 as Block "1".

The purpose of the change in zoning is to permit an office development on the property in conjunction with the adjoining lands currently zoned "H" (Community Shopping and Commercial, etc.) District, shown as Block "2".

The by-law will permit a proposed office and sales service building for Rogers Cable Television Company.

4. With reference to the **Energy Efficient Family Housing Development - Former Ryerson School Site Project** the Planning and Development Committee respectfully recommends -

- (a) That the following dates stated in the Contract of Purchase and Sale between the Corporation of the City of Hamilton and Miraletto Holdings Limited be amended accordingly:

- o Issuance of Building Permit (Schedule "C", Item 1): -
from May 9, 1983 to September 14, 1983
- o Submission of Performance Bond to City (Schedule "C", Item 3): -
from May 16, 1983 to November 29, 1983
- o Closing of Agreement of Purchase and Sale (Item 7): -
from June 16, 1983 to December 29, 1983
- o That if construction is phased, 50% of construction will be completed
(Schedule "B", Item 1b): -
from December 31, 1984 to July 31, 1985 and
- o That 100% of construction will be completed (Schedule "B", Item 1c): -
from June 30, 1986 to January 31, 1987.

All other items of said Contract of Purchase and Sale shall be performed in accordance with the terms thereof. The above contract amendments are subject to Committee approval of the matters referred to in item (b) below;

- (b) That the date of closing, stated in the Option to Purchase from the Board of Education for the City of Hamilton, be extended from June 16, 1983 to December 29, 1983; and, that the City Solicitor be directed to apply to the Board of Education for the City of Hamilton for approval of this change.

All other items of said Option to Purchase shall be performed in accordance with the terms thereof.

Explanatory Note - Committee of Adjustment's denial of application for minor variances necessitates changes to the above mentioned Option to Purchase and Contract of Purchase and Sale in order to provide Miraletto Holdings Limited with sufficient time to re-submit modified development plans for approval.

5. That the property located at **120 John Street North** be exempted from the By-laws 75-61 and 75-175 to allow the erection of a ground sign having an approximate area of 5.6 m² with a minimum of 3.7 m clearance from the grade level; and

That the City Solicitor be authorized and directed to amend By-laws 75-61 and 75-175 to exempt the property at 120 John Street North from said By-laws.

6. That the application of the **Hamilton Convention Centre** to use the Plaza Area adjacent to their building for the purpose of operating an open air restaurant commencing May 24, 1983 and terminating September 2, 1983, between the hours of 11:30 a.m. and 2:30 p.m. be denied.

Explanatory Note - The Hamilton Convention Centre have proposed to serve both hot and cold food items together with alcoholic and non-alcoholic beverages in an open-air restaurant adjacent to their building. Plastic plates, glasses and cutlery would be provided. Sufficient signage would be provided to indicate washroom facilities available within the Convention Centre. The location would be the area surrounding the reflecting pool, allowing sufficient space, visibility and sun exposure to operate effectively and efficiently. Hydro facilities are located at the site.

7. That the City Solicitor be authorized and directed to prepare a by-law to amend Property Standards By-law No. 74-74, regarding protective devices on dwelling unit windows, as set out in APPENDIX "C" attached hereto.

Explanatory Note - The Planning and Development Committee has reviewed By-law 74-74 with a view to requiring Section 29(a) (respecting protective devices on dwelling unit windows) to be posted in residential buildings by the owners.

The Committee is recommending two changes to the By-law -

First, all dwelling units should have equal protection as far as these devices are concerned - the key issue is the height of the window above the adjacent ground - therefore the Committee is recommending that the by-law be amended to include all dwelling units. Previously the by-law only referred to buildings containing three or more dwellings.

The second change the Committee is recommending is that the requirement for posting of this section of the by-law only apply to buildings containing ten or more units. The reason for this proposal is that townhouses containing a maximum of eight units and other such small buildings would not be included. Large buildings generally have a lobby or an area which would be suitable for the posting of the By-law.

8. That the City Solicitor be authorized and directed to prepare a by-law to amend Property Standards By-law No. 74-74 dealing with **fences**, as set out in APPENDIX "D" attached hereto.

Explanatory Note - In a recent court decision, Section 19(5) of By-law 74-74 was ruled unenforceable. The Zoning By-law, which was in conflict with Property Standards By-law 74-74, took precedent. Therefore, the attached changes are necessary to make the two by-laws compatible with each other and eliminate the above conflict.

9. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-

15 Hess Street North

10. That approval be given to have the Department of Public Works landscape the lots formerly known as **66, 68, 70, 72, 74 and 76 Fullerton Avenue**. This would entail the preparing of the soil, grading, supplying additional top soil if required, seeding and fertilizing. The work is being done to assist in the prevention of run-off from the site and hopefully add attraction to this site and assist in the sale of this land for future residential dwellings. The estimated cost of this work is \$1,200.00.

The proceeds to be derived from the sale of these lots will be credited to Account #0280-02. It is therefore recommended that the expenditure of this landscaping be charged against the proceeds to be derived, or Account #0280-02.

Explanatory Note - Due to the substandard condition of buildings, the City acquired the properties known as 66, 68, 70, 72, 74 and 76 Fullerton Avenue, demolished

same, and presently have placed the land for sale to the public for residential redevelopment.

11. That approval be given to the sale of **Block 7, Plan 62M-333**, having an area of 343 square feet to Roberta (Shelley) Kuhlman for the sum of \$1,00 be completed.
12. That the **sale of Part 13 on Plan 62R-6188 Keefer Court to Rycott Wholesale Foods Limited** be approved and completed. A deposit cheque in the amount of \$5,643.00 is being held by the City Treasurer pending Council approval.

It is understood and agreed that the Vendor, upon completion of this transaction will pay a 5% real estate commission to A. DeSantis Real Estate Ltd., whose agent, Mr. Anthony DeSantis acted in this matter.

This transaction includes special building covenants, agreements and restrictions which are set out in APPENDIX "E" attached hereto.

This transaction shall be closed on or before the 18th day of July 1983, subject to the Purchaser obtaining at his own expense on terms satisfactory to it, a permit to erect an industrial building having an area of 5,000 square feet on this property within 60 days from the date of acceptance of this Offer by the Vendor, otherwise this Offer shall be null and void and the Purchaser's deposit shall be returned to him in full without interest or penalty.

This Agreement may be terminated by the Purchaser if within 60 days from the date of acceptance of this Offer by the Vendor he notifies the Vendor in writing by regular mail or delivery to the Vendor's address that he has been unable to obtain at his own expense a permit on terms satisfactory to it for the erection of an industrial building on this property. Upon receipt of this notice the Agreement shall become null and void and the Purchaser's deposit shall be returned to him in full without interest or penalty. If no such notice is received, this term of contract shall be valid and binding whether or not such permit has been obtained.

In the event that any or all of the above conditions are not fulfilled, or not waived in writing by the Purchaser, prior to the date of closing of this transaction, this Agreement shall be terminated, being null and void and the deposit shall be returned by the Vendor to the Purchaser without interest or deduction for cancellation and the Vendor shall not be liable for any damages or costs.

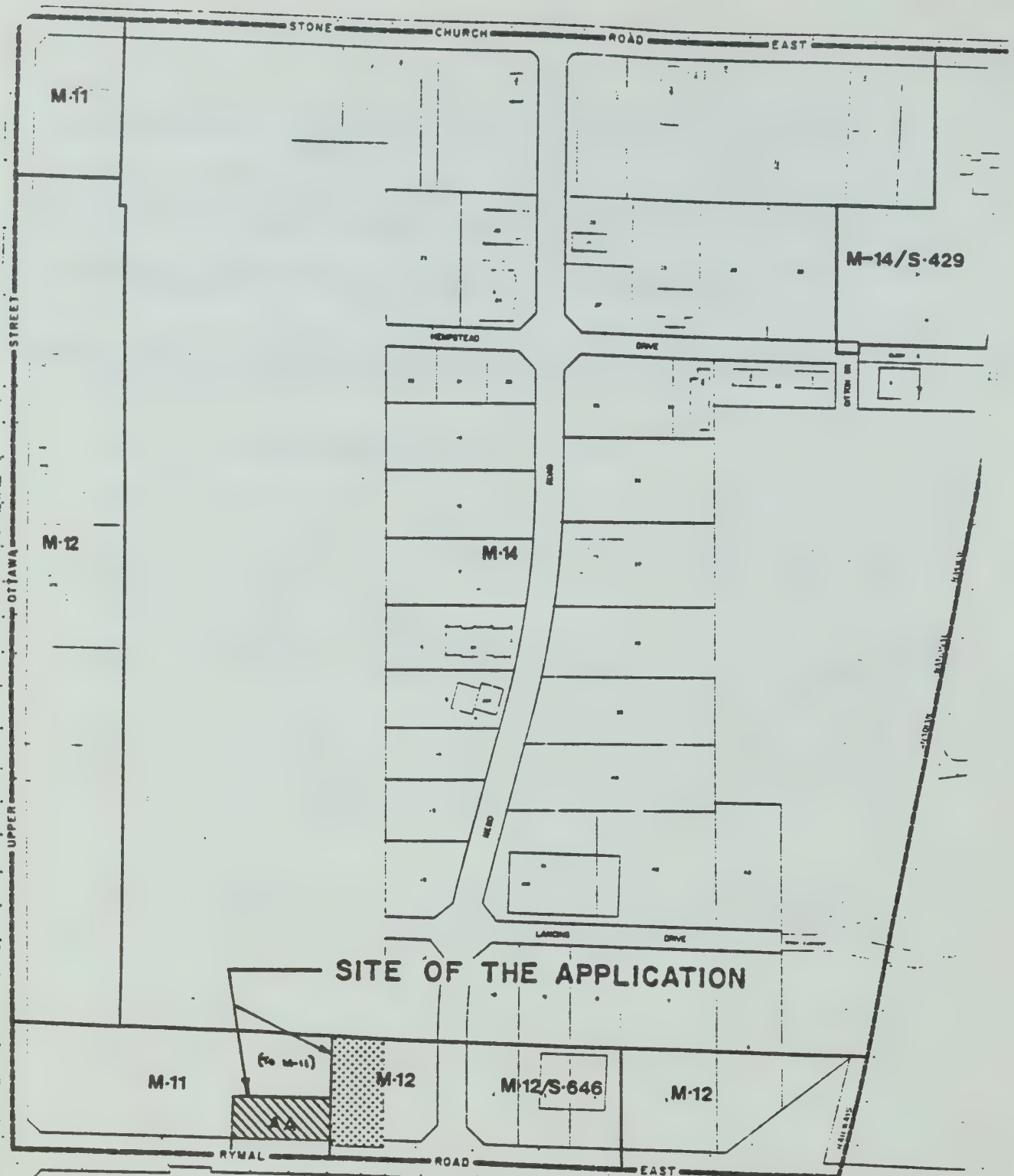
13. That the Ontario Ministry of Consumer and Commercial Relations be advised that the Council of the Corporation of the City of Hamilton has no objection to the construction of a **columbarium building in the White Chapel Memorial Gardens Cemetery**, 1895 Main Street West.
14. That leave be granted to introduce the following Bills:-
 - (a) Bill D-75 - By-law to Repeal By-laws Nos. 83-44 and 83-45 respecting land located at Municipal Nos. 297 Charlton Avenue West and 190 Cavell Avenue
 - (b) Bill D-76 - By-law to Establish Site Plan Control respecting lands located in the area north of the Queen Elizabeth Way, east of Nash Road
 - (c) Bill D-77 - By-law to Amend Zoning By-law No. 6593 respecting land located at the north-west corner of Fennell Avenue East and Upper Ottawa Street

- (d) Bill D-78 - By-law to Adopt Official Plan Amendment No.3 respecting land located at Municipal No. 249 Stone Church Road East
- (e) Bill D-79 - By-law to Amend Zoning By-law No. 6593 respecting land located at the rear of Municipal No. 567 Upper Wellington Street
- (f) Bill D-80 - By-law to Amend Zoning By-law No. 6593 respecting land located at Municipal Nos. 303-305 Dundurn Street South
- (g) Bill D-81 - By-law to Amend Zoning By-law No. 6593 respecting land located at the south-west corner of Stone Church Road East and Leaway Avenue



Respectfully submitted,

JDT:bg
April 27, 1983

Alderman W. M. McCulloch
Chairman



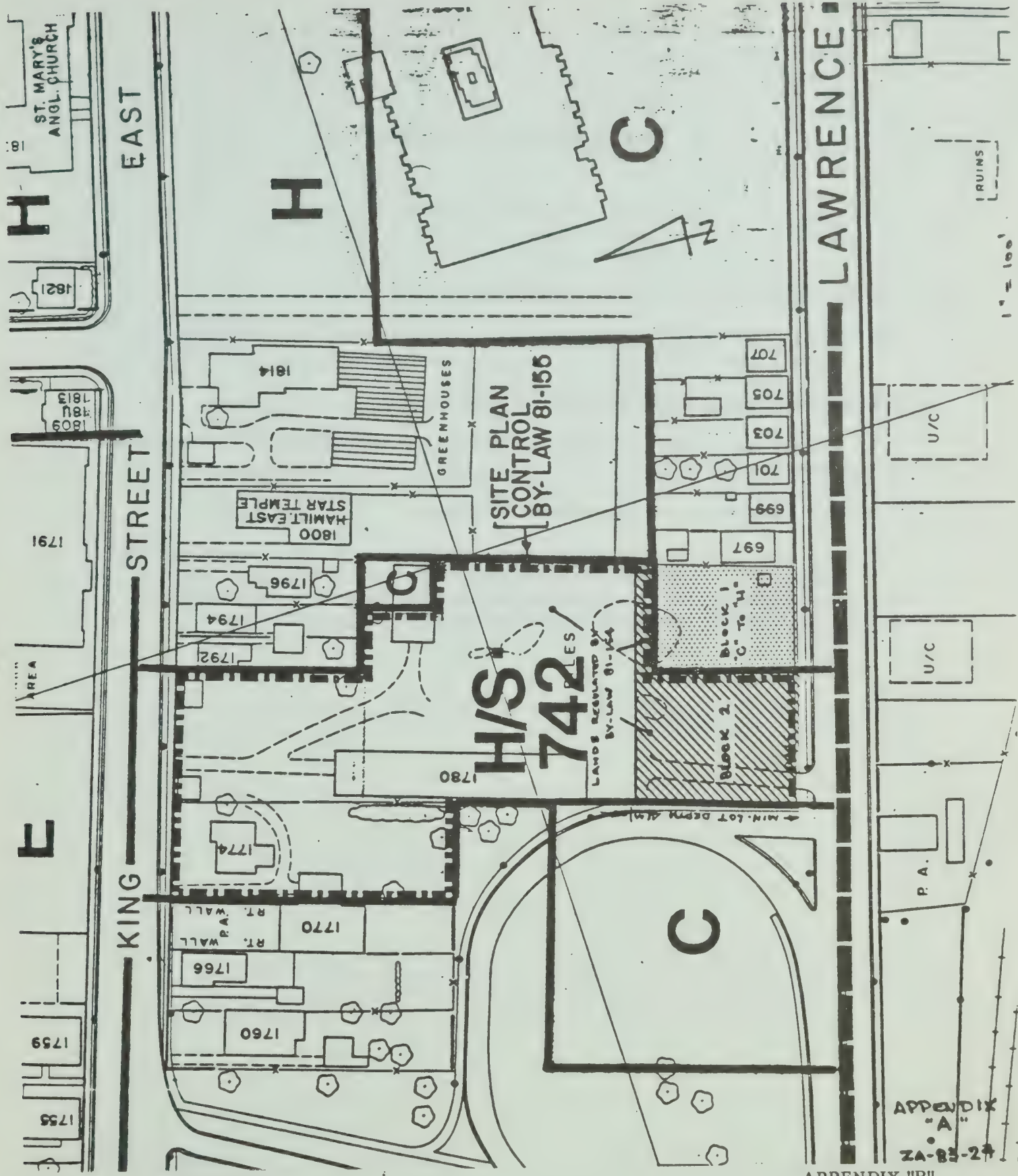
SITE OF THE APPLICATION

-  Block 1
From "AA" to "M-11"
-  Block 2
From "M-12" to "M-11"

APPENDIX "A"

110 131 5	<p>CITY OF HAMILTON</p> <p>RYMER</p> <p>ZONING</p>
120 120 82	
14 64 83	
<p>This is not a Legal Document For Zoning Verification Please Contact City Building Department</p>	
<p>Neighbourhood Sounds</p> <p>Zoning Boundary.</p>	<p>D-8</p> <p>0 50m</p> <p>SCALE</p>
<p>Prepared for The City of Hamilton by the Planning and Development Department of The Regional Municipality of Hamilton-Wentworth</p>	
<p>PLANNING JOB NO 7405</p>	<p>September 1981</p> <p>PAGE NO 120</p>

APPENDIX "A"



APPENDIX "B"

APPENDIX "B"

Re: Property Standards By-law No. 74-74

1. Section 29a of By-law 74-74 be amended by,
 - (a) striking out "Multiple Dwelling" in the section title and substituting in lieu thereof "Dwelling Unit".
2. Section 29a(1) of By-law 74-74 be amended by,
 - (a) striking out "multiple dwelling" in the first line and substituting in lieu thereof "dwelling unit".
3. Section 29a of By-law 74-74 be amended by adding,
 - (4) The owner of a building with 10 or more dwelling units shall maintain a copy of Section 29a of Property Standards By-law 74-74, as amended, posted or displayed in a conspicuous place in the building where it is available for all tenants to read and make themselves aware of these provisions.

Re: Property Standards By-law 74-74

Fences

1. Section 19(4) of By-law 74-74 be amended by,
 - (a) striking out "solid line fence" in the third line and substituting in lieu thereof "visual barrier".
 - (b) striking out "3 feet of such fence, unless such fence" in the fifth and sixth lines and substituting in lieu thereof "1 metre of such visual barrier, unless such visual barrier".
2. Section 19(5) of By-law 74-74 be amended by,
 - (a) striking out "fence not less than 5 feet in height and not more than 6 feet in height" in the fourth and fifth lines and substituting in lieu thereof "visual barrier not less than 1.2 metres in height and not more than 2.0 metres in height".
 - (b) adding at the end thereof "except within 3.0 metres in distance from a front lot line, a visual barrier will not be required as prohibited by the Zoning By-law".
3. Section 2(ka) of By-law 74-74 be amended by,
 - (a) striking out definition of "multiple dwelling" and substituting in lieu thereof "multiple dwelling means a building containing four or more dwelling units."
4. Section 2 of By-law 74-74 be amended by adding:
 - (ua) "visual barrier" shall mean a continuous, uninterrupted structure which completely blocks lines of sight when viewed perpendicularly from either of its sides and shall consist of one or more of the following materials: wood, stone, bricks, mortar, fabricated metal or other similarly solid material.

- 6.3 In consideration for the transfer of the hereinbefore described land to the grantee, in addition to payment of the sale price to the grantor, the grantee covenants and agrees to and with the grantor:
- 1) That the grantee shall commence construction of a building, having a minimum building area of 5,000 square feet upon the hereinbefore described land by not later than January 3rd, 1982. Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.
 - 2) That the grantee shall complete construction of the said building by not later than January 3rd, 1983. The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.
 - 3) In the event that the grantee does not comply with covenants 1 and 2 or either of them by the dates set out therein the grantee covenants and agrees that the grantee shall sell the land to the grantor, free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the grantor, for the sale price herein (without any interest) - less (a) the deposit; (b) the commission paid (if any) by the grantor to a real estate agent; (c) arrears of realty taxes (including the local improvement charges) penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.
- 6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.
- 6.5 The Purchaser agrees that the deed to him which he shall execute shall be subject to and include the restrictions, covenants and agreements in paragraph 6.3.

REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its **TWELFTH** Report for 1983 and respectfully recommends:

1. That **no action be taken** on the following recommendation regarding administrative consolidation:

That the concept of the administrative consolidation of the staff of the City of Hamilton and Regional Municipality of Hamilton-Wentworth be endorsed and forwarded to Regional Council for their consideration.

2. That **no action be taken** on the following resolution from the City of North York regarding daylight saving time:-

WHEREAS a study document of National Research Council of Canada indicates:

1. It is equally as practical to introduce Daylight Saving Time in early March as it is to continue Daylight Saving Time to late October,
2. a net saving of electrical energy estimated in the order of 1 kW.h per day (\$1.50/month) would be realized in homes from earlier introduction of Daylight Saving Time in many parts of Canada,
3. studies in the U.S.A. in 1974, and which were confirmed in subsequent years, show a saving of 1% in total electricity consumption when Daylight Saving Time is introduced, and
4. there is advantage of extra daylight during evening traffic rush hours and,
5. extended Daylight Saving Time could provide other "quality of life" benefits including recreational advantages, safety for children at Halloween and reduced exposure to the criminal "powers of darkness".

THEREFORE be it resolved that North York Hydro Commission encourage appropriate levels of Government to extend Daylight Saving Time to include the period from the first week in March to the first week in November, and further that the support of O.M.E.A., local Councils and the provincial government for this change be solicited.

3. That the following resolution from the **City of Windsor** dealing with the availability or provincial grants under the Ontario Home Renewal Programme **be endorsed:-**

WHEREAS this municipality has received annual funding from the Province of Ontario under the Ontario Home Renewal Program (O.H.R.P.) to provide low

interest loans to qualified persons to bring their residence into compliance with the City of Windsor Minimum Housing Standards By-law;

AND WHEREAS advice has been received from the Ministry of Municipal Affairs and Housing, Program Division, that no new Provincial monies will be available for funding under the Ontario Home Renewal Program for 1983/84;

AND WHEREAS the loss of this funding is a serious setback to the City in terms of bringing sub-standard residences into compliance with the City's Minimum Housing Standards By-law;

THEREFORE BE IT RESOLVED that the Minister of Municipal Affairs and Housing BE REQUESTED to reconsider his decision to eliminate this program, and further, that a copy of this resolution be forwarded to the Association of Municipalities of Ontario and all municipalities in Ontario for their consideration and support.

4. Approval of the payment of the account submitted by the Federation of Canadian Municipalities in the amount of \$15,321.70 to cover the City's annual membership fee for April 1, 1983 to March 31, 1984.

Payment of this account will create an overdraft in account No.0321-0193 - Legislative Memberships and Subscriptions for 1983, in the amount of \$6,500.00, and it is recommended that the Finance Committee be requested to recommend the method of financing this overdraft.

Explanatory Note - The annual fee to the Federation of Canadian Municipalities for 1983-84 is based on 5.0¢ per capita. Last year, the City paid 3.5¢ per capita. Provision was not made in the Legislative 1983 budget estimates for the increase in the per capita fee, as this information was not known at the time the budget was prepared.

5. That the Mayor or his nominee be authorized to attend the Annual Conference of the Federation of Canadian Municipalities to be held in Moncton, New Brunswick, June 5 to June 9, 1983.
6. That **no action be taken** on the invitation extended by Mayor C. J. Purvis of Edmonton, Alberta, for a representative of Hamilton City Council to attend the Universiade Games in July 1983.
7. That the City Solicitor be authorized and directed to prepare a By-law for the appointment of a member of council to act in place of the Mayor on the Hamilton Public Library Board.
8. That inasmuch as there will be only one meeting of City Council for the months of June, July and August, the Standing Committees be authorized to award contracts during the months of June, July and August, provided all necessary approvals and authority of governmental agencies have been received and when the amount of the contract is the lowest tender received and the action taken by the Standing Committee is reported to the next regular meeting of City Council.
9. That the use at elections of voting machines, voting recorders or other voting devices be discontinued and that the City Solicitor be authorized and directed to prepare a by-law to authorize the use of composite ballot papers at the municipal elections in the City of Hamilton.

10. As provided for in Section 123(1) of the Education Act, dealing with the correction of a clerical error in respect of school support, that the taxes for municipal property known as 52 Britten Close in the City of Hamilton, be directed to the Separate School Board.
11. That the City of Hamilton become Patron of the publication "Hamilton - Chronicle of a City" by ordering ten copies at a special pre-publication price in the total amount of \$200.00 and that the Finance Committee be requested to recommend the financing of this expenditure.
12. That the Visitor and Convention Services of the Regional Municipality of Hamilton-Wentworth be granted permission to locate a Tourism Information Booth on the front west side of City Hall from June 19, 1983 to Labour Day from 9:00 a.m. to 6:00 p.m. every day.
13. That the Salvation Army Hamilton Temple be authorized to use the Canopy Area at the front of the City Hall for their Sunday evening services, commencing June 26, 1983 and concluding Sunday August 28, 1983, and that the Property Superintendent be authorized to provide all necessary assistance in respect of chairs, pinao, P.A. System, etc.
14. That the following Tax Adjustments as recommended by the Tax Appeal Review Sub-Committee at its hearing held April 28, 1983, be approved:-

Schedule "A"	Compassionate	\$3,195.18
Schedule "B"	Business	\$57,842.63
Schedule "C"	Realty	\$103,393.66

15. That leave be granted to introduce the following Bills:-
 - (a) Bill E-17 - By-law to Amend Adult Entertainment Parlours By-law No. 79-144 respecting Class "H" Adult Entertainment Parlours and Class "I" Adult Entertainment Parlours
 - (b) Bill E-18 - By-law respecting Appointment of a Member of Council to Act in place of the Mayor on the Hamilton Public Library Board
 - (c) Bill E-19 - By-law to confirm proceedings of the Council of the Corporation of the City of Hamilton

Respectfully recommended,

May 3, 1983
JDT:bg

Alderman V. J. Agro, Chairman
Legislation Committee

REPORT OF THE PERSONNEL COMMITTEE

To the Council of The Corporation of the City of Hamilton

Members of Council:

The Personnel Committee presents its **EIGHTH** Report for 1983 and respectfully recommends:

1. Approval of the Appointments and Terminations in permanent and temporary service with The Corporation to May 4, 1983, as set out on the list appended hereto.
2. That the Organization Chart appended hereto, showing the relationship between City Council, the Standing Committees and the various City Departments, be accepted.
3. That the following Policy be adopted in the matter of recommendations for the employment of citizens by The Corporation of the City of Hamilton:-

- " (1) Whereas it is and has been the policy of the City of Hamilton to give equal opportunity to all citizens to apply for position openings in the Civic Service; and
- (2) Whereas all citizens with appropriate qualifications so applying must receive equal consideration for such available positions

Be it resolved

That no elected official, appointed officer, or employee of The Corporation of the City of Hamilton shall attempt to influence the hiring of any applicant by way of making recommendations either in writing or verbally on behalf of any applicant."

Note: For the information of the Members of Council the foregoing policy was developed in order to remove any doubts which may exist in the matter of selection for Civic Service, and to establish the fact that all appointments made are on the basis of merit and ability, rather than appointments generated by political or internal pressures of established civic employees.

RESPECTFULLY SUBMITTED,

ALDERMAN P. COWELL,
CHAIRMAN.

K. E. Avery, Secretary,
May 4, 1983.

REFERRED TO IN SECTION 1 OF THE EIGHTH
REPORT OF THE PERSONNEL COMMITTEE.

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN PERMANENT SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mary Bow	Typist Clerk II	Treasury	Replacement for Paula Luciani - promoted	E-2	\$265.51 per week	April 18/83
Jennifer Falla	Stenographer III	Treasury	Returning to former position due to Ann Error returning from maternity leave	E-3	\$283.29 per week	April 18/83
Lee Ann Goldsmith	Typist Clerk II	Treasury	Returning to former position due to Ann Error returning from maternity leave	E-2	\$275.73 per week	April 18/83
Jane Graham	Stenographer II	Treasury	Returning to former position due to Ann Error returning from maternity leave	E-4	\$324.18 per week	April 18/83
Anna Latoszek	Head Historical Interpreter	Culture and Recreation (Dundurn Castle Division)	Replacement for Mary Skinner - resigned	109	\$17,100.72 per annum	April 20/83

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Carmela Martorelli	Personnel Clerk II	Personnel	resigned	1 year and 10 months	April 18/83

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Carol Beatty	Stenographer III (temporary)	Traffic	Replacement for Rita Milles - temp. promoted	E-3	\$283.29 per week	April 4/83
Donna Bennett	Housing Loans Clerk (temporary)	Community Development	Replacement for Hazel Milsome - temp. promoted	E-5	\$308.89 per week	April 20/83
William Elliott	Chief Monitor (temp.part-time)	Culture and Recreation	seasonal staff	R-5	\$4.000 per hour	April 18/83
Gayle Fawcett	Stenographer IV (temporary)	Building	Replacement for Barbara Thompson - temp. promoted	E-2	\$254.56 per week	April 19/83
Rita Mills	Accident Report Clerk (temporary)	Traffic	Replacement for Michelle Strong - maternity leave	E-4	\$301.18 per week	April 4/83
Hazel Milsome	Housing Loans Officer (temporary)	Community Development	Replacement for Ronald Deverson - off sick	A-9	\$400.66 per week	April 20/83
Raymond Jones	Monitor (temp.part-time)	Culture and Recreation	seasonal staff	K-1	\$3.500 per hour	April 18/83
Harold Ralph	Monitor (temp.part-time)	Culture and Recreation	seasonal staff	K-1	\$3.500 per hour	April 18/83
John Segree	Monitor (temp.part-time)	Culture and Recreation	seasonal staff	K-1	\$3.500 per hour	April 18/83
Walter Smith	Monitor (temp.part-time)	Culture and Recreation	seasonal staff	K-1	\$3.500 per hour	April 18/83

May 4, 1983

THIS CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS IN TEMPORARY SERVICE

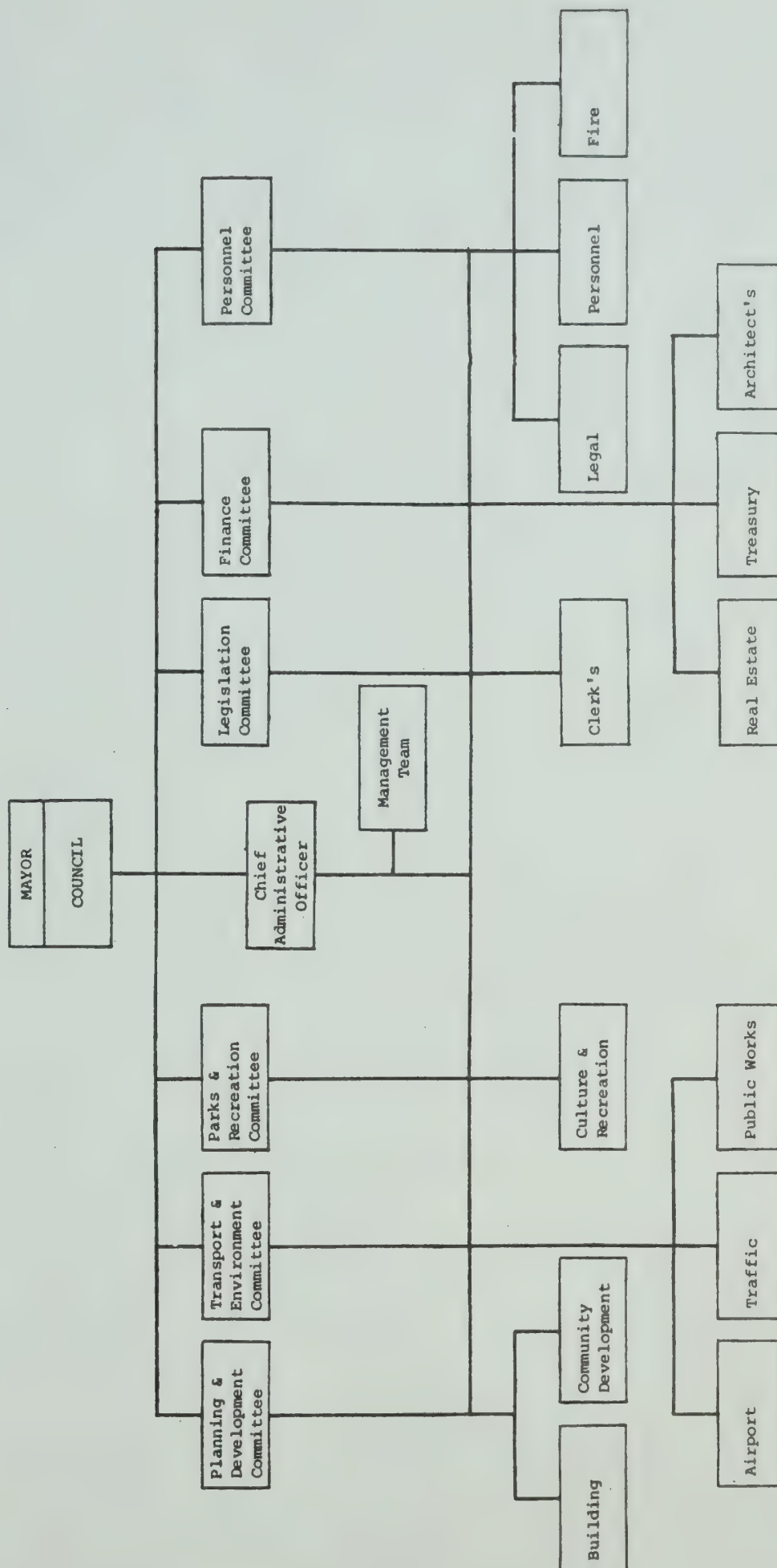
<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
John Upton	Monitor (temp.part-time)	Culture and Recreation	seasonal staff	K-1	\$3.500 per hour	April 18/83
Bruce Washington	Monitor (temp.part-time)	Culture and Recreation	seasonal staff	K-1	\$3.500 per hour	April 18/83

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mark Albrich	Microfilm Technician I (temporary)	Treasury	lay off	3 months	April 15/83
Robert Cass	Accounting Student M.B.A. Co-op Program (temporary)	Treasury	resigned	3.5 months	April 21/83
Brian Carver	Tree Climber (temporary)	Public Works	lay off	2.5 months	April 12/83
Charlie Gandt	Tree Climber (temporary)	Public Works	lay off	2.5 months	April 12/83
Mark Savelli	Tree Climber (temporary)	Public Works	lay off	2.5 months	April 12/83
Allan Snow	Tree Climber (temporary)	Public Works	lay off	2.5 months	April 12/83

REFERRED TO IN SECTION 2 OF THE EIGHTH
REPORT OF THE PERSONNEL COMMITTEE.

ORGANIZATION CHART



Bill No. I-1

BY-LAW NO. 83 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF
HAMILTON AT ITS MEETING HELD ON THE Third DAY OF May
A.D., 1983.

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the
Revised Statutes of Ontario, 1980, the powers of a municipal corporation
are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act,
being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of
every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council
of The Corporation of the City of Hamilton at this meeting be confirmed
and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton
enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton
in respect to each recommendation contained in the Reports of the
Committees and of the local Boards and Commissions and each motion and
resolution passed and other action taken by the Council of The
Corporation of the City of Hamilton at this meeting is hereby adopted
and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of
Hamilton are hereby authorized and directed to do all things necessary
to give effect to the action of the Council of The Corporation of the
City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the
City Clerk, or in the absence of the City Clerk, the Deputy City Clerk,
are authorized and directed to execute all documents necessary in that
behalf and to affix thereto the seal of The Corporation of the City of
Hamilton.

PASSED this Tenth day of May A.D., 1983.

City Clerk

Mayor

By-law No. 83 -

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:-

Traffic

1. Schedule 10 (Stops at Intersections) of By-law No. 66-100 To Regulate Traffic passed and enacted on the 29th day of March 1966, is hereby amended by adding thereto the following item, namely:-

"Napoli Northbound and Southbound Guildwood".

2. Schedule 29 (No Stopping Areas) is hereby amended by adding to Section A (No Stopping Anytime) the following item, namely:-

"Main North Selkirk to a point 50 feet
easterly therefrom".

and by deleting therefrom the following item, namely:-

"Bristol North Sanford to Wentworth".

PASSED this day of , A.D. 1983.

City Clerk

Mayor

(1983) 9 R.T.E.C., May 10

By-law No. 83 -

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 25A (Parking Time Limits) of By-law No. 66-100 To Regulate Traffic passed and enacted on the 29th day of March 1966, is hereby amended:-

(a) by deleting from Section 7 (Three Hour Limit) the following item, namely:-

"Dalewood Both Main to Haddon".

and by adding thereto the following item, namely:-

"Dalewood Both Westwood to Haddon".

(b) by adding to Section 5 (One Hour Limit) the following item, namely:-

"Dalewood Both Main to Westwood".

2. Schedule 26 (No Parking Areas) is hereby amended by adding thereto the following item, namely:-

"Bristol North Sanford to Wentworth".

3. Schedule 26A (No Parking Areas) is hereby amended by deleting from Section C (No Parking 8:30 a.m. to 5:00 p.m.) the following item, namely:-

"Everton South Irvin to 120 ft. east".

PASSED this day of , A.D. 1983.

City Clerk

Mayor

(1983) 9 R.T.E.C., May 10

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Repeal:

By-laws Nos. 83-44 and 83-45

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 297 CHARLTON AVENUE WEST
AND 190 CAVELL AVENUE

WHEREAS By-law No. 83-44, passed on the 26th day of January, 1983, authorized the demolition and clearing of buildings, structures, debris or refuse on land at No. 297 Charlton Avenue West;

AND WHEREAS By-law No. 83-45, passed on the 26th day of January, 1983, authorized the demolition and clearing of buildings, structures, debris or refuse on land at No. 190 Cavell Avenue;

AND WHEREAS demolition of the buildings and structures at Nos. 297 Charlton Avenue West and 190 Cavell Avenue has been completed and the land cleared;

AND WHEREAS the authority in the said by-laws is no longer necessary.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-laws Nos. 83-44 and 83-45 are repealed.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 9 R.P.D.C. 8,9, April 26

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Establish:

Site Plan Control

Respecting:

LANDS LOCATED IN THE AREA NORTH OF THE QUEEN ELIZABETH WAY,
EAST OF NASH ROAD

WHEREAS By-law No. 79-275, passed on the 25th day of September, 1979, under section 35a of The Planning Act, as re-enacted by The Planning Amendment Act, 1979, S.O. 1979, Chapter 59, section 1, (now section 40 of The Planning Act, R.S.O. 1980, Chapter 379), established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land herein-after referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

60. Lands located in the area north of the Queen Elizabeth Way, east of Nash Road, shown on Appendix 60 hereto annexed and forming part of this by-law.

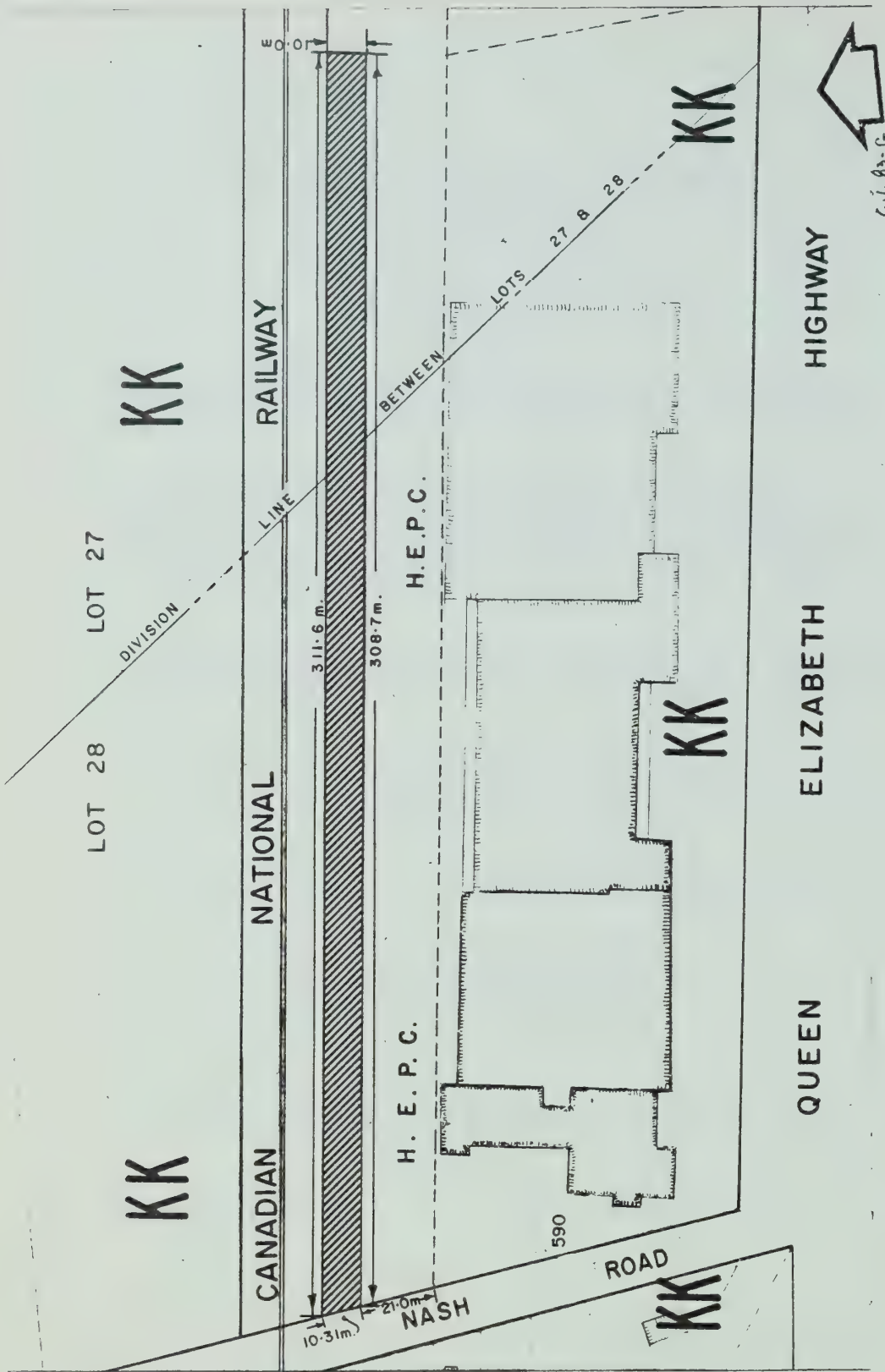
2. Schedule "A" is annexed hereto and forms part of this by-law and By-law No. 79-275, as Appendix 60.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 9 R.P.D.C. 6, April 26
City Initiative 83-G



LEGEND



Lands on part of Sheet No. E-101 of the Zoning District maps forming part of By-law No. 6593 designated as an area of Site Plan Control pursuant to Section 35a of The Planning Act.

Appendix 60 to By-law No. 79-275.

Bill No.

This is Schedule "A" to By-law No. 83- passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE NORTH-WEST CORNER OF FENNELL AVENUE EAST
AND UPPER OTTAWA STREET

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "H" (Community Shopping and Commercial, etc.) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the following special requirement that,

(a) notwithstanding subsection 14(1) of By-law No. 6593, a public hall shall be permitted within the existing building.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, as varied by the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-824".

4. Sheet No. E-47 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-824".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

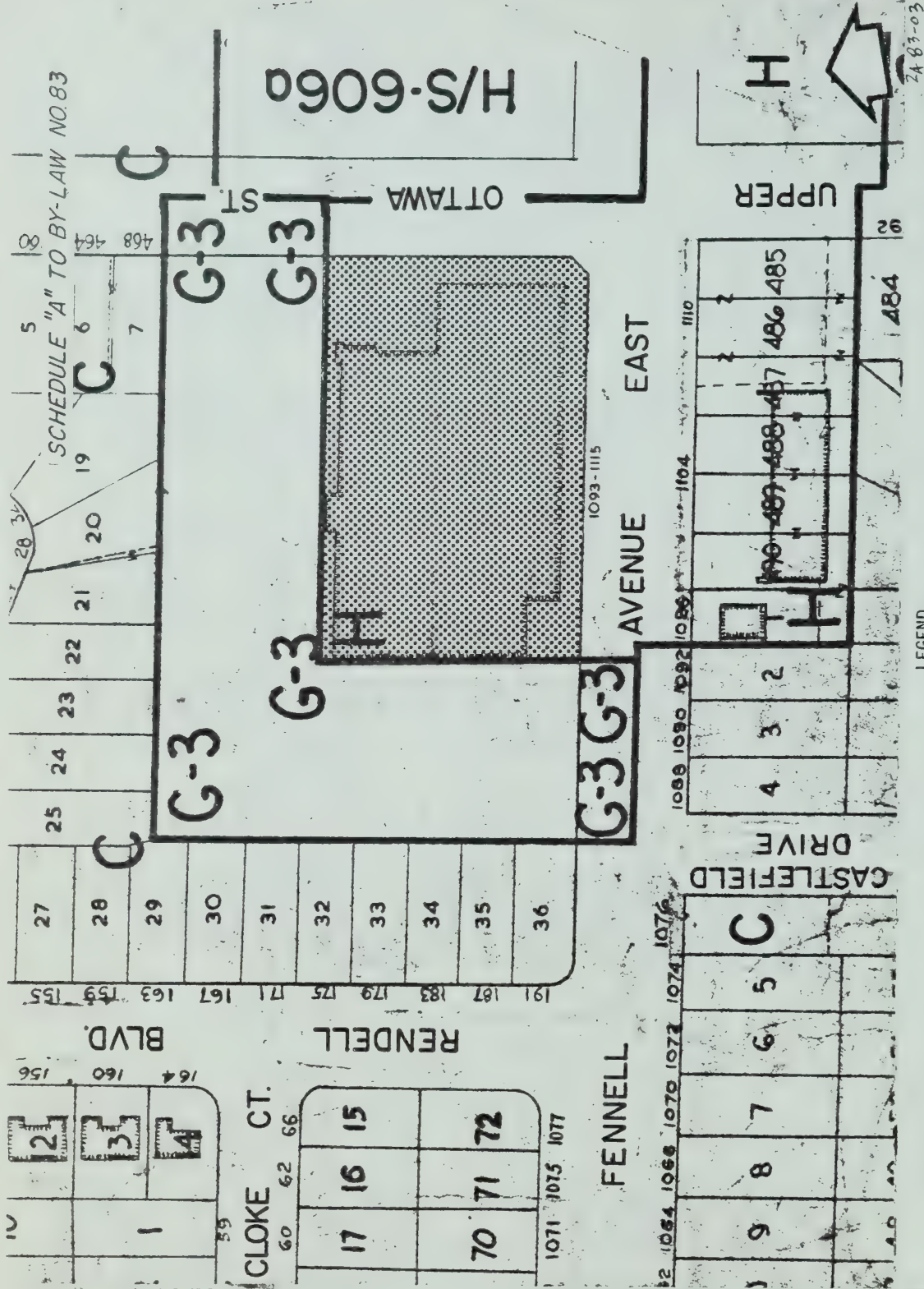
6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 8 R.P.D.C. 3, April 12
Fenwood Developments Limited, Owner
ZA-83-03



Lands on part of Sheet No. E-47 of the Zoning District Maps to be regulated by By-law No. 83-

Bill No.

This is Schedule "A" to By-law No. 83- passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Adopt:

Official Plan Amendment No. 3

Respecting:

LAND LOCATED AT MUNICIPAL NO. 249 STONE CHURCH ROAD EAST

The Council of The Corporation of the City of
Hamilton enacts as follows:

1. Amendment No. 3 to the Official Plan of the
Hamilton Planning Area consisting of Schedule 1, hereto
annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such
approval of the Official Plan Amendment referred to in
section 1 above, as may be requisite, be obtained and for
the doing of all things for the purpose thereof.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 8 R.P.D.C. 6, April 12
Intercom Sales and Installations Limited, Lessee
ZA-82-50

AMENDMENT NO. 3 TO
THE CITY OF HAMILTON OFFICIAL PLAN

The following text, together with the attached Schedule "B" hereto, constitute Amendment No. 3.

PURPOSE

To establish a site specific policy to permit an existing electronic communications, security installations, and contracting business on lands designated for "Residential" uses.

LOCATION

North side of Stone Church Road East, east of Upper Wellington Street, known municipally as 249 Stone Church Road East in the Crerar Neighbourhood.

BASIS

This Amendment can be supported on the basis of:

- the relatively low-key nature of this established use; and,
- the use will not adversely affect the future development of the adjacent lands within a proposed "multi-centre".

ACTUAL CHANGE

- i) The following new policy be added to Subsection A.2.9.3. Other Policy Areas, as Policy A.2.9.3.15:

"Notwithstanding the permitted uses, as set out in Subsection A.2.1 (Residential Uses) for those lands shown on Schedule "B" as SPECIAL POLICY AREA 17, and known municipally as 249 Stone Church Road East, an electronic communications, security installations, and contracting business may be permitted within the existing building. Existing accessory buildings may be permitted for a workshop and storage of parts used in conjunction with the business. All outside storage is prohibited."; and,

- ii) The following be added to Schedule "B" (Special Policy Areas):

- Special Policy Area 17; and,
- "Area 17 refer to Policy A.2.9.3.15" to the legend,

all as shown on the attached Schedule "B" to this Amendment.

IMPLEMENTATION

A restricted area by-law will give effect to the intended uses of the subject lands.

Bill No. D-78

This is Schedule 1 to By-law No. 83- , passed on the day of , 1983.

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk


Mayor

schedule B
amendment no.3
to the
official plan
for the
city of hamilton

DEFERRED NO. D-4
UNDER SECTION 14(3) OF
THE PLANNING ACT

date	drawn by	reference file no.
april, 1983	P.B.	5501023

legend

	special policy area 17 - 2.9.3.15
-----------------------------------------------------------------------------------	-----------------------------------

**special policy
areas**

legend



special policy areas

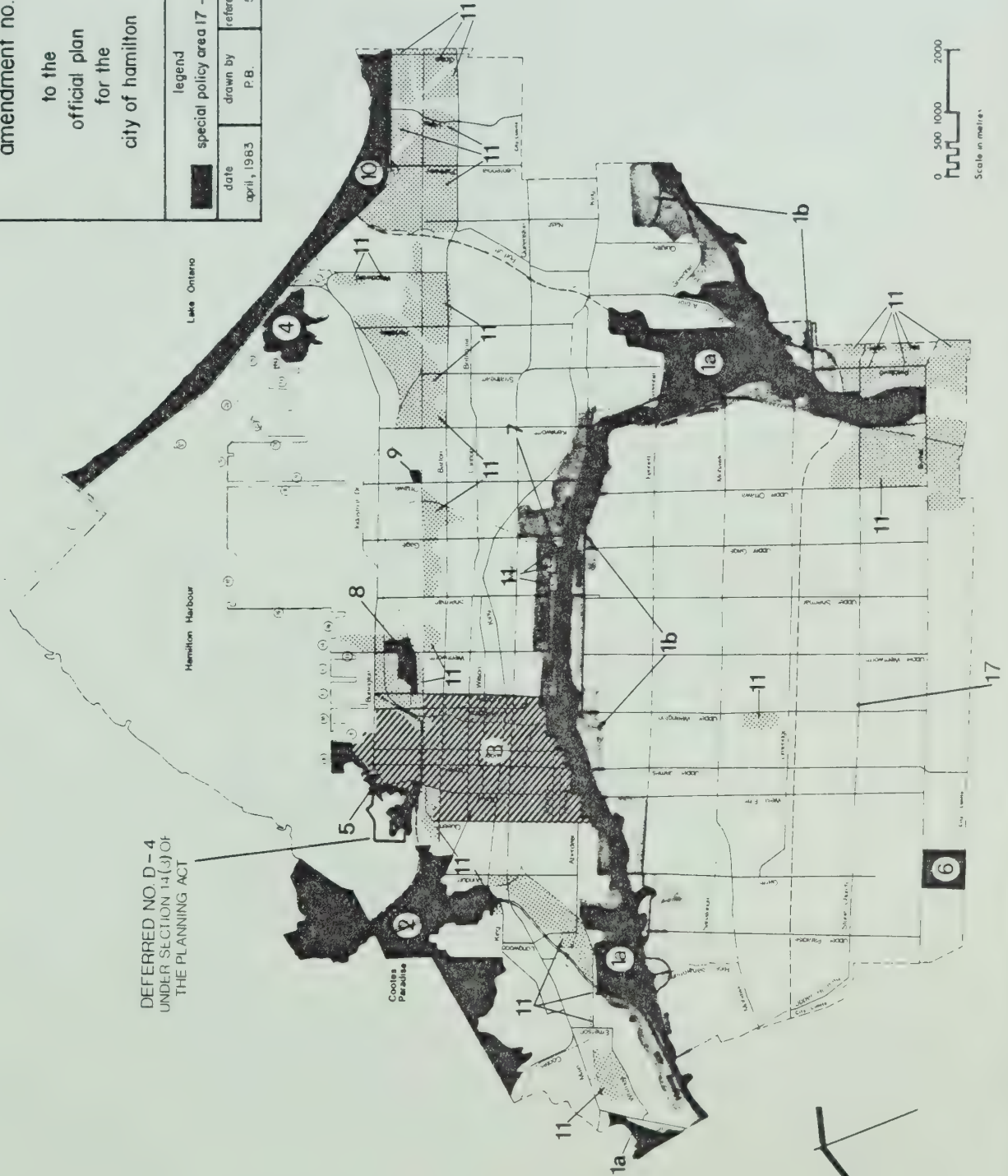
Area 1 (a)	refer to Subsection A.2.9.1.
Area 1 (b)	" " A.2.9.1.
Area 2	" " A.2.9.2.
Area 3	" " A.2.9.3, policy 2.9.3.1
Area 4	" " Policy 2.9.3.2
Area 5	" " 2.9.3.3.
Area 6	" " 2.9.3.4.
Area 7	" " 2.9.3.5.
Area 8	" " 2.9.3.6.
Area 9	" " 2.9.3.7.
Area 10	" " 2.9.3.8.
Area 11	" " 2.9.3.9.

Refer to Schedule B-1 for Special
Policy Areas in the Downtown

schedule B

to the official plan
for
the city of hamilton

82 09 01



The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE REAR OF MUNICIPAL NO. 567 UPPER WELLINGTON STREET

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-16 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) district to "H" (Community Shopping and Commercial, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "H" (Community Shopping and Commercial, etc.) district provisions applicable to the land referred to in section 1 are amended to the extent only of the special requirements that,

- (a) a landscaped area not less than 1.5 metres in width shall be provided and maintained within the lot and along the side and rear lot lines; and
- (b) a visual barrier not less than 1.2 metres and not greater than 2.0 metres in height shall be provided and maintained within the landscaped area referred to in clause (a).

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, as varied by the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-823".

5. Sheet No. E-16 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-823".

6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

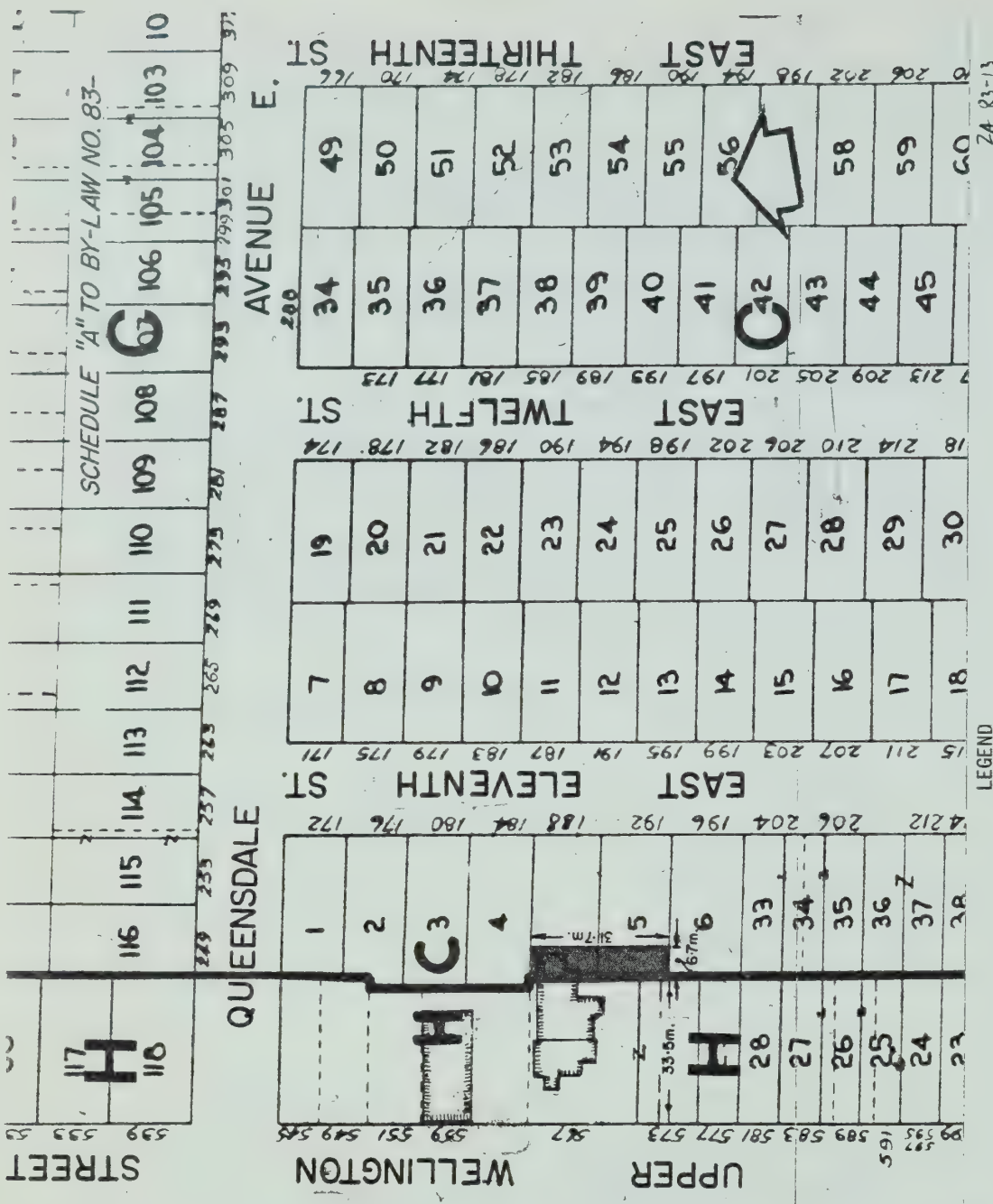
7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 8 R.P.D.C. 2, April 12
M.A. Clark Funeral Home Limited, Owner
ZA-83-13



Lands on part of Sheet No. E-16 of the Zoning District Maps to be re-zoned from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District

LEGEND

Bill No.

This is Schedule "A" to By-law No. 83- passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 303-305 DUNDURN STREET SOUTH

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "H" (Community Shopping and Commercial, etc.) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirement that,

- (a) Subsection 18(12) of By-law No. 6593 shall not apply to a restaurant having a seating capacity not exceeding 24 persons, located within the existing building.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, as varied by the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-822".

4. Sheet No. W-14 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-822".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

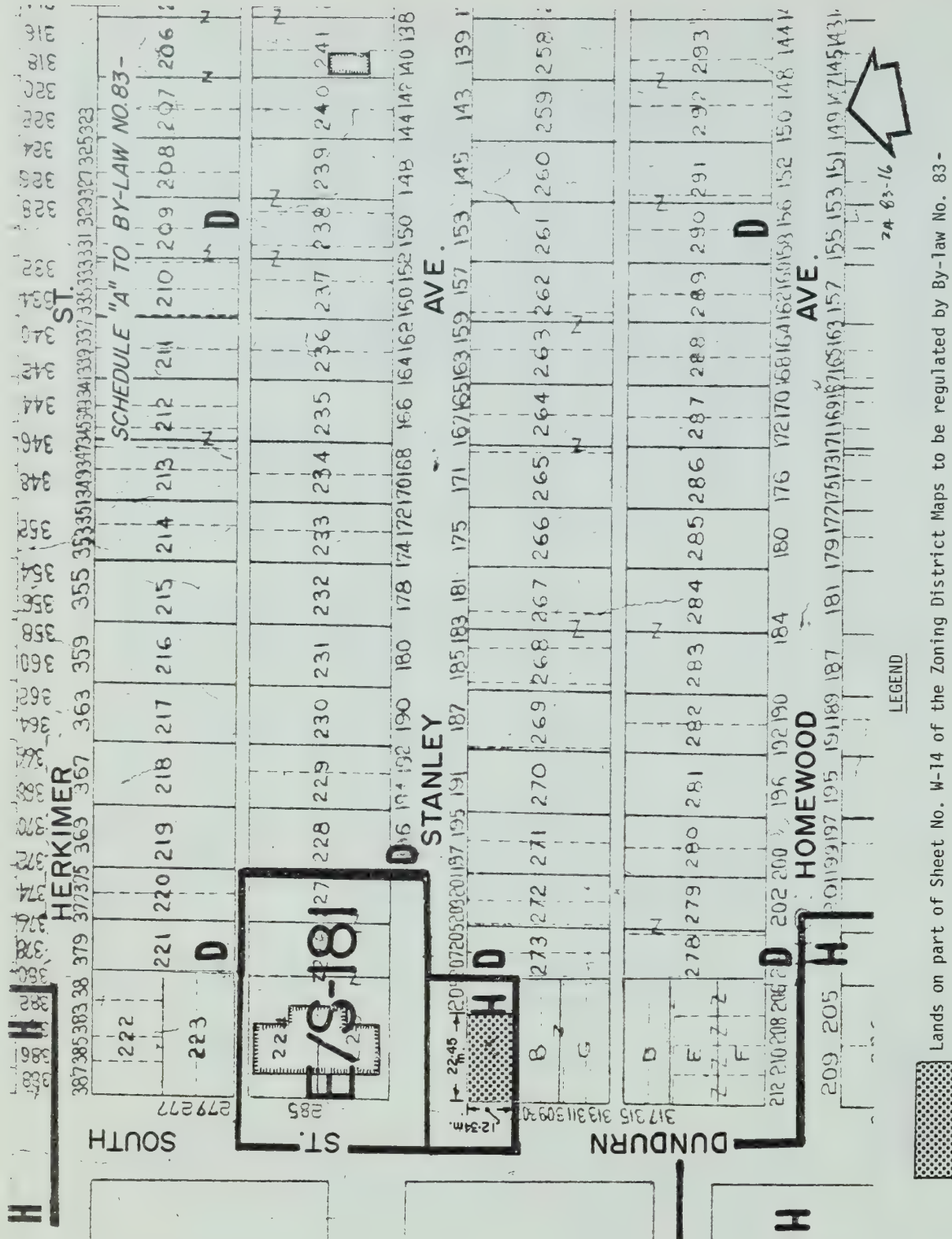
(1983) 8 R.P.D.C. 5, April 12
488248 Ontario Limited, Owner
ZA-83-16

This is Schedule "A" to By-law No. 83- passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE SOUTH-WEST CORNER OF STONE CHURCH ROAD EAST
AND LEAWAY AVENUE

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-38C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) district, to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land comprised in Block 1,

the extent and boundaries of which Block 1 are shown on a plan hereto annexed as schedule "A".

2. The "C" (Urban Protected Residential, etc.) district provisions applicable to the land, the extent and boundaries of which are shown on schedule "A" as Block 2, are amended to the extent only of the special requirement that,

- (a) notwithstanding clause 9(3)(iii) of By-law No. 6593, a rear yard depth of at least 1.75 metres shall be permitted for the existing dwelling situate on Block 2.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions applicable to Block 2, as varied by the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-825".

5. Sheet No. E-38C of the District Maps is amended by marking the land referred to in section 2 of this by-law, "S-825".

6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

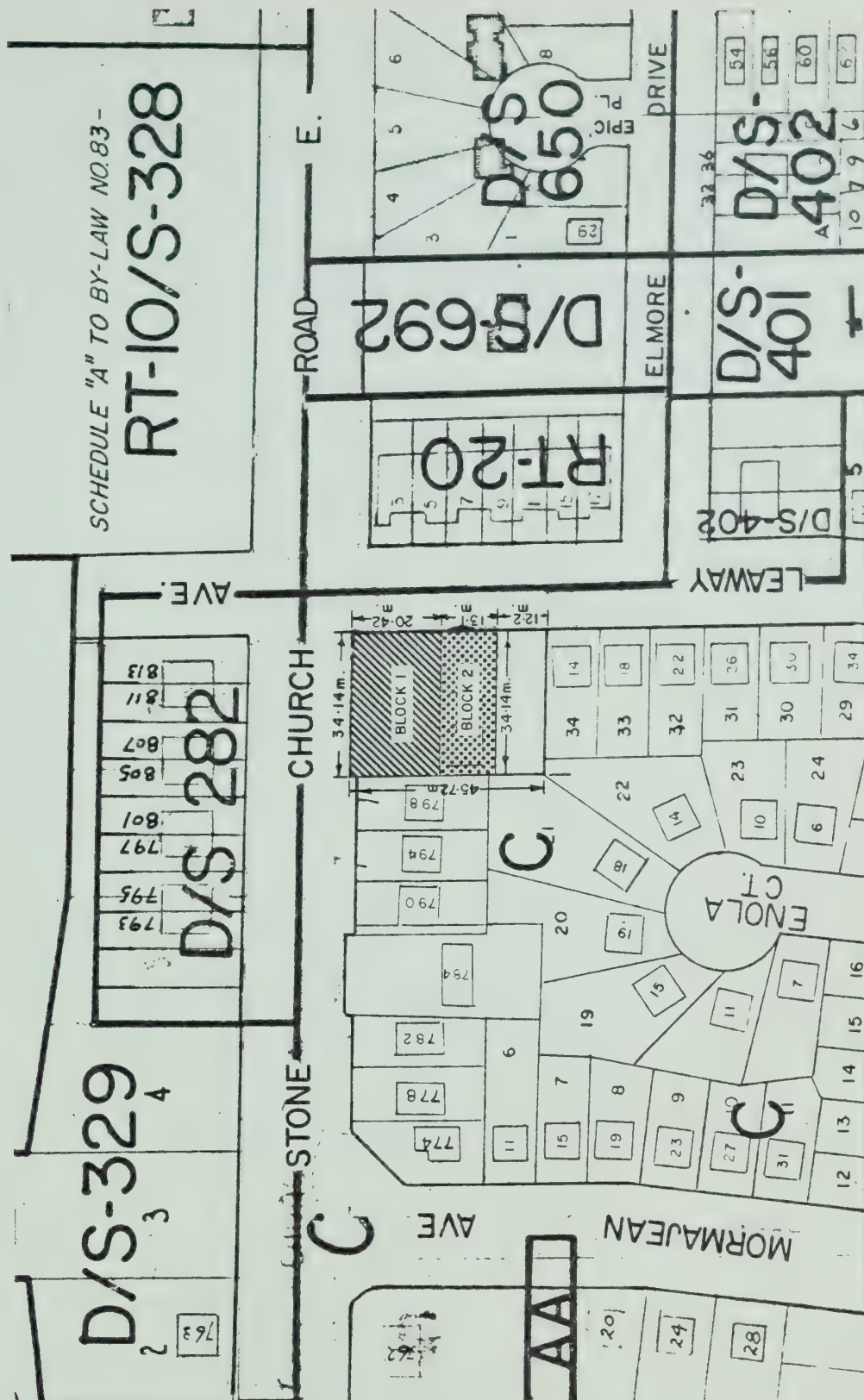
7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

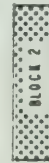
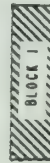
Mayor

(1983) 8 R.P.D.C. 4, April 12
Sam Aquino, Owner
ZA-83-15



LEGEND

Lands on part of Sheet No. E-38C of the Zoning District Maps to be re-zoned from "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District.



Lands to be regulated by By-law No. 83 -



LA 83.15

Bill No.

This is Schedule "A" to By-law No. 83- passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

By-law 83- to approve and authorize the execution, delivery and implementation of a lease, Planning Act Agreement and Closing Agreement, all dated as of May 3, 1983 between The Corporation of the City of Hamilton (City) and Lakeview Development Ltd. (Developer)

WHEREAS on the 19th day of November, 1981 the Council of the City by By-law 81-316 approved the Development Agreement dated as of November 19, 1981 ("Agreement") and the execution thereof on behalf of the City and the doing of all things by the City and its proper officials as might from time to time be necessary to implement the Agreement;

AND WHEREAS on the 27th day of July, 1982 the Council of the City by By-law 82-163 approved an amendment to the Agreement dated as of August 3, 1982 so that the time for the completion of the matters to be completed by the Developer in order to obtain an executed lease pursuant to the Agreement could be extended from August 3, 1982 to certain dates, the latest of which is May 3, 1983, consequent on certain amounts being paid by the Developer to the City as in the said amendment set out;

AND WHEREAS such payments totaling \$40,000.00 were made by the Developer to the City;

AND WHEREAS some of such matters have been completed and the Developer has requested an extension of the period for the completion of the remaining matters.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The City enter into a lease with the Developer in the form executed by the Developer dated as of May 3, 1983;
2. The City enter into a Planning Act agreement with the Developer in the form executed by the Developer dated as of May 3, 1983;
3. The City enter into a Closing Agreement with the Developer in the form executed by the Developer dated as of May 3, 1983, so as to provide that the Closing Agreement, the lease and the Planning Act agreement be subject to any consent required from the Province of Ontario and CMHC and to further provide as follows:
 - (a) The covenant by the Developer to complete by August 3, 1983 all the covenants and obligations the Developer

was required to complete under the Agreement by May 3, 1983, including the provision of final working drawings and specifications, the provision of satisfactory evidence of financing for the hotel, the depositing with the City of a contract with a construction or building company in regard to the construction of the hotel, the provision of insurance policies, the obtaining of a building permit for the hotel, the provision of a performance bond, the provision of an executed operating agreement with the Hotelier and the entering into of an interface agreement;

- (b) That the interface agreement to be entered into be substantially in the form of Schedule A to the Closing Agreement subject to the reasonable requirements of other parties thereto and to any changes or alterations to which the City and the Developer might agree to reasonably and properly accomplish the intent of the Agreement and the proper use and integration of the hotel within Lloyd D. Jackson Square;
 - (c) To enter into any amendment of the Agreement that might be required by reason of changes in the lease, the Closing Agreement or otherwise.
 - (d) The amendment of the lease if required by reason of matters arising subsequent to the date hereof as long as the parties are not thereby unreasonably adversely affected.
- 4. That the Mayor and City Clerk of the Corporation of the City of Hamilton be and they are hereby authorized and directed to execute the said lease, Planning Act agreement and Closing Agreement on behalf of the Corporation of the City of Hamilton under the seal thereof and to deliver the same.
 - 5. That the Corporation of the City of Hamilton and its proper officials be and they are hereby authorized and directed to do all things as may from time to time be necessary to implement the lease, Planning Act agreement and Closing Agreement aforesaid.

READ a first, second and third time and finally passed this 3rd day of May, 1983.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Adult Entertainment Parlours

By-law No. 79-144

Respecting:

CLASS "H" ADULT ENTERTAINMENT PARLOURS
CLASS "I" ADULT ENTERTAINMENT PARLOURS

WHEREAS By-law No. 79-144 was passed on the 8th day of May, 1979 under section 368b of The Municipal Act, R.S.O. 1970, Chapter 284, (now R.S.O. 1980, Chapter 302, section 222), which includes powers enabling municipalities to license, regulate, govern, classify and inspect adult entertainment parlours;

AND WHEREAS the said by-law provides for classes of adult entertainment parlours including,

- (a) Class "H" respecting the provision of services that are performances;
- (b) Class "I" respecting the provision of services that are exhibitions;

AND WHEREAS it is desirable that persons including burlesque entertainers who provide erotic services shall cover his or her pubic area.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Clause (a) of section 11 of Part 4 of Schedule 1.01 of By-law No. 79-144 is amended by inserting after "with" in the second line "or without".

2. Part 4 of Schedule 1.01 of the said By-law is amended by adding thereto the following:

15. (1) No burlesque entertainer or other person shall in any Class "H" adult entertainment parlour licensed under The Liquor Licence Act provide erotic services except while wearing opaque clothing fully covering such person's pubic area.

(2) No owner or operator of the adult entertainment parlour shall permit or acquiesce in the provision of erotic services contrary to subsection 1.

3. Part 5 of Schedule 1.01 of the said By-law is amended by adding thereto the following:

19. (1) No burlesque entertainer or other person shall in any Class "I" adult entertainment parlour licensed under The Liquor Licence Act provide erotic services except while wearing opaque clothing fully covering such person's pubic area.

(2) No owner or operator of the adult entertainment parlour shall permit or acquiesce in the provision of erotic services contrary to subsection 1.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 11 R.L.C. 5, April 26

The Corporation of the City of Hamilton

BY-LAW NO. 83-

Respecting:

APPOINTMENT OF A MEMBER OF COUNCIL TO ACT IN PLACE
OF THE MAYOR ON THE HAMILTON PUBLIC LIBRARY BOARD

WHEREAS subsection 5(1) of The Public Libraries Act, R.S.O. 1980, Chapter 414 provides that the Library Board of a municipality shall include the Mayor and three members appointed by the council;

AND WHEREAS section 75 of The Municipal Act, R.S.O. 1980, Chapter 302 provides as follows:

75. The council of any municipality may by by-law, passed with the written consent of the head of the council, appoint a member of the council to act in the place of the head of the council on any board, commission or other body of which the head of the council is a member ex officio under any general or special Act, except a board of commissioners of police;

AND WHEREAS the Mayor is a member of The Hamilton Public Library Board by virtue of his office as Mayor;

AND WHEREAS it is desirable to appoint a member of council in place of the Mayor and with the consent of the Mayor to The Hamilton Public Library Board.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Mayor, having given his written consent, annexed hereto and forming part of this by-law as Schedule "A", the following member of council is hereby appointed to act in place of the Mayor on The Hamilton Public Library Board:

1.

PASSED this day of A.D. 1983.

City Clerk

Mayor

SCHEDULE "A"

I, ROBERT M. MORROW, Mayor of the City of Hamilton, hereby consent to the appointment of the undernoted member of council to act in my place on The Hamilton Public Library Board:

1.

Mayor

DATED at the City of Hamilton, this 20th day of April, 1983.

BY-LAW NO. 83 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF
HAMILTON AT ITS MEETING HELD ON THE Tenth DAY OF
A.D., 1983.

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the
Revised Statutes of Ontario, 1980, the powers of a municipal corporation
are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act,
being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of
every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council
of The Corporation of the City of Hamilton at this meeting be confirmed
and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton
enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton
in respect to each recommendation contained in the Reports of the
Committees and of the local Boards and Commissions and each motion and
resolution passed and other action taken by the Council of The
Corporation of the City of Hamilton at this meeting is hereby adopted
and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of
Hamilton are hereby authorized and directed to do all things necessary
to give effect to the action of the Council of The Corporation of the
City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the
City Clerk, or in the absence of the City Clerk, the Deputy City Clerk,
are authorized and directed to execute all documents necessary in that
behalf and to affix thereto the seal of The Corporation of the City of
Hamilton.

PASSED this Tenth day of May A.D., 1983.

City Clerk

Mayor



MAY 31 1983

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

Tuesday, May 31, 1983
7:20 o'clock p.m.
Council Chambers
City Hall

A G E N D A

1. Prayer
2. The Hon. John C. Munro, P.C., M.P. - Address to City Council
3. Proclamation - "Fight Muscular Dystrophy Week"
4. Minutes of Previous Meeting held May 10, 1983
5. Correspondence - attached
 - (a) Mr. Larry Staples, Secretary - Local 288, International Association of Fire Fighters
 - (b) Mr. R. J. Whynott, Executive Director, Hamilton and District Chamber of Commerce
6. Reports of Standing Committees - attached
 - A Transport and Environment Committee
 - B Parks and Recreation Committee
 - C Finance Committee
 - D Planning and Development Committee
 - E Legislation Committee
 - F Personnel Committee
 - G Special Committee on Jobs
7. Notices of Motion given at previous meeting - attached
8. Notices of Motion for next meeting
9. First reading of Bills
10. Second reading of Bills - Committee of the Whole
11. Third reading of Bills
12. Question period
13. Adjournment

C O R R E S P O N D E N C E

Hamilton Professional Fire Fighters Association

Local - 288 International Association of Fire Fighters

President


John Hargrove

Treasurer

Bill Aitken



Secretary

Larry Staples
19 Laurier Avenue,
Hamilton, Ontario.
338-3341 

Affiliated with
Ontario Professional
Fire Fighters Association
The Canadian Labour Congress

May 12th, 1983

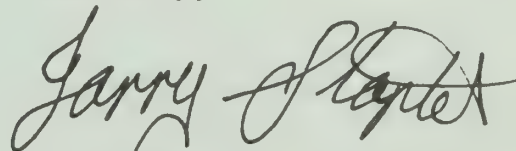
All Members of Council
City Hall,
71 Main Street West,
Hamilton, Ontario.

Dear Members of Council:

The Negotiating Committee of Local 288 I.A.F.F. believe that as a result of a technological change to the operating methods of the Hamilton Fire Department, the present service with respect to inhalator and fire service will be lessened for wards 1,2 and 5.

This proposed change will eliminate two emergency cars which are presently stationed at Woodward Avenue and John Street and the introduction of a rescue unit which will be stationed at Kenilworth Avenue.

Yours truly,



Larry Staples, Secretary
Local 288 I.A.F.F.

cc: Mr. L. G. Saltmarsh, Chief
Mr. A. Grieve, Deputy Chief

MAKE EVERY WEEK - "FIRE PREVENTION WEEK"



The Hamilton & District Chamber of Commerce

100 KING ST. W., SUITE 830, HAMILTON, CANADA L8P 1A2 PHONE (416) 522-1151

May 26, 1983.

Mr. Robert M. Morrow, Mayor,
Members of the City Council,
City of Hamilton,
City Hall,
71 Main Street W.,
Hamilton, Ontario.
L8N 3T4

Your Worship and Members of Council:

The Hamilton and District Chamber of Commerce has given serious, in-depth, deliberation to the resolution passed by City Council on Tuesday, April 12, 1983 in support of The Episcopal Commission for Social Affairs, Canadian Conference of Catholic Bishops.

Initial reaction from many of our members to the position of City Council on this resolution was one of disbelief. It has also been expressed that the motion was indeed made up of direct quotations from a document entitled "Ethical Reflections on the Economic Crisis" from the conference but it should be noted that it is the opinion of our review committee that these quotations are taken out of context so as to reflect an almost Marxist flavour.

It is our opinion that this resolution, as passed and distributed across the nation by our Council is anti-business and anti-capitalism in the form presented, and not only will this be used as a negative tool when other communities are competing with us for new industry or business but it is also impossible to believe that such a document could ever be of value as "the keystone of a municipal strategy for economic recovery".

We must also put forward our objections to such statements in the approved resolution as, "If technology and capital are not harnessed by society to serve basic human needs they are likely to become the enemy....." and, "In addition, the renewed emphasis on the survival of the fittest as the supreme law of economics is likely to increase the domination of the weak by the strong". Statements such as these are somewhat biased and unfair and tend to cast a shadow of suspicion over the entire business community and certainly do very little to enhance this area as a location for a business or industry if this is perceived to be the attitude of the elected policy makers.

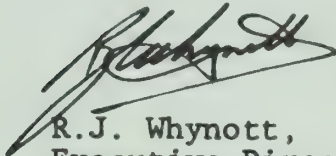
Mayor Robert Morrow

- 2 -

May 26, 1983
1

The Hamilton and District Chamber of Commerce urges the Council of the City of Hamilton to rescind their position on this resolution forthwith and so advise all communities with a population of 10,000 or more.

Yours very truly,

A handwritten signature in dark ink, appearing to read 'R.J. Whynott', written over a horizontal line.

R.J. Whynott,
Executive Director.

RJW:jb

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **TENTH** Report for 1983 and respectfully recommends:

1. That the City of Hamilton support the applications of both Air Atonabee and South West Air Limited to Canadian Transport Commission for a scheduled Hamilton to Windsor service.
2. That the approval of the lease between the City of Hamilton and 302206 Ontario Limited operating as Hamilton Goodwood and Avis Rent-A-Car for space at Hamilton Civic Airport be rescinded and that the approval be given for this lease in the name of Hamilton Goodwood Limited o/a Avis Rent-A-Car.

The lease will commence November 8, 1982 and terminate May 31, 1984 at the same rental as approved by City Council on May 12, 1981.

3.
 - i. That the City of Hamilton continue to provide for the collection of garbage from apartments and condominiums where garbage compaction facilities have been installed; and-
 - ii. That the Director of Purchases be authorized and directed to call Tenders for Compacted Garbage Collection from apartments and condominiums; and-
 - iii. That any additional applications received from apartment owners applying for the service as provided for in Recommendation No. 1 above, be forwarded to the Transport and Environment Committee for consideration.
4. That the request of the Portuguese Catholic Congregation of St. Mary's Church be approved to temporarily close the following streets on two occasions:
 - i. Park Street from Mulberry Street to Colbourne Street;
 - ii. Sheaffe Street from Park Street to easterly end;

on the following dates:

First Festival - Saturday 83 05 21 from 5:30 p.m. to Sunday 83 05 22 - 10:00 p.m.

Second Festival - Saturday 83 08 20 from 5:00 p.m. to Sunday 83 08 21 - 10:00 p.m.

subject to the following conditions:

- i. That all signing and barricading will be subject to the direction of the Regional Police Department at no cost to the City.
- ii. That clean-up will be carried out immediately before the reopening of the road at no cost to the City.

- iii. That the organizing group provide proof of \$1,000,000 public liability insurance naming the City as an added insured party with a provision for cross liability and saving the City harmless from all actions, interest, claims, demands, costs, damages, expenses and loss.
 - iv. That the organizing group reimburse the Regional Police Department and the Department of Public Works for any extra costs incurred by these agencies.
 - v. No homeowner within the barricaded area will be denied access to their residence upon request.
5. That the application of Mr. J. Ankers, owner of "The Winking Judge Pub" a restaurant at 25 Augusta Street, requesting permission to lease an area of the City boulevard on Augusta Street having approximate dimensions of 4.07 m by 4.11 m wide at the front of the restaurant premises, for the purpose of operating a boulevard cafe thereon comprised of:

Elevated wood deck with handrail, approximate dimensions 4.07 m by 4.11 m and 0.91 m above sidewalk elevation,

be approved during the pleasure of Council provided:

- i. That the owner prepare an indemnification agreement, satisfactory to the City Solicitor, and the Regional Commissioner of Engineering, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - ii. That an annual fee for this privilege is to be set at a future date when the policy for such encroachments has been finalized.
6. Whereas clause 6(b) of the Eleventh Report of the Planning and Development Committee as adopted by City Council at its meeting held 81 03 31, recommended that a Subdivision Agreement be entered into between the City of Hamilton and the owners of Trenholme Survey, Hamilton, 280641 Ontario Inc. (John Petis),

It is therefore recommended that:

- i. The schedules for the estimated cost of services, appended hereto, be approved for inclusion in the proposed Subdivision Agreement for Trenholme Survey.
 - ii. The approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered, and
 - iii. In the event the Subdivider wishes to proceed prior to the registration of Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-servicing.
7. Whereas the City Solicitor has advised that a 40' x 397' strip of City owned property is being used by the public for traffic between Bulls Lane, a private road, and Rosedene Avenue, a City street; and

Whereas this City owned property has not been established as a Street by By-law,

It is therefore, recommended that the City Solicitor be authorized and directed to:

- i. Prepare a by-law to establish the said 40' x 397' (Part of Lot 14, Concession 4, Geographic Township of Barton and Part of Lot 65, Plan 446) City owned property as Bulls Drive; and
 - ii. Apply to the Minister of Municipal Affairs and Housing prior to the passage of the said by-law for his approval of the by-law pursuant to Section 306 of The Municipal Act, which Section requires Ministry approval where the width of a street will be less than 66 feet. It is a term of such applications for approval that the applicant acknowledge to the Minister that reconstruction costs, if any, of the street in the future would receive a subsidy from M.T.C. due to its narrow 40' width.
8. That approval be granted to Mr. J. Oliviera owner of 127 Tisdale Street North to retain the following existing inadvertent building encroachments on the abutting alley:
- i. Frame garage, approximately 0.46 m by approximately 3.81 m,
 - ii. Frame addition, approximately 0.78 m by approximately 3.35 m,
 - iii. Two storey brick building approximately 0.28 m by approximately 12.09 m.
9. Whereas the registered Subdivision Agreement for Chedoke Ravine Estates provides for the construction of sidewalks; and

Whereas less than 100% of the land owners signed a petition for the deletion of said sidewalks; and

Whereas sidewalks on residential streets increase pedestrian safety,

It is therefore recommended that the Subdivision Agreement for Chedoke Ravine Estates not be amended to delete the sidewalks on Balfour Drive and Bethany Court.

NOTE: Chedoke Ravine Estates is a single family lot subdivision registered on 81 08 21 located at the intersection of Scenic Drive and Garth Street.

The subdivision agreement between Bono General Construction Limited, the subdivider, and the City provides for the construction of curbs and sidewalks adjacent to all new development. This is in accordance with the City policy which originated in 1956 and recommended sidewalks on all streets to safeguard pedestrian traffic.

The subdivider has constructed the sidewalk on Scenic Drive but not on Bethany Court or Balfour Drive.

The petition submitted to Alderman Bethune was signed by 14 owners, two of which are external to the subdivision. This leaves 12 owners within the subdivision indicating that they do not wish to have sidewalks constructed. There are 19 parcels in the plan affected by the proposal. Four of these parcels were, at the time of the writing of this report, owned by the subdivider who presumably would be happy to delete the sidewalks as he is paying for the construction.

This means that the majority of the land owners have indicated that they would be satisfied without sidewalks.

The deletion of the sidewalks requires an amendment to the subdivision agreement which agreement is registered against all the lots. This registration assured that all owners knew that sidewalks were to be constructed by the subdivider. Furthermore, the deletion of the sidewalks without the support of 100% of the land owners is, from a legal view point, a doubtful practice because of the original registration.

It is the opinion of staff that sidewalks are beneficial on residential streets and the construction costs do not exceed the long term benefits.

The Roads and Transport Association of Canada in its guide entitled, "Geometric Design Standards for Canadian Roads and Streets" also recommends sidewalks on all urban streets.

10. i. That the Director of Real Estate be authorized and directed to negotiate the purchase of the lands required to provide a continuous 3.05 m (10') wide alley north of King Street running from Hess to Caroline Street.
 - ii. That the Finance Committee recommend the method of financing the cost of the acquisition.
 - iii. That the City Solicitor prepare a by-law for the settling and making the boundary lines of the alley pursuant to Section 210 (105) of The Municipal Act once the land has been acquired.
11. That the City Solicitor be directed to prepare an agreement between the City, the Region, and Petro-Canada Ventures satisfactory also to the Regional Commissioner of Engineering and the Regional Solicitor, to provide for the change in jurisdiction of the roads, and the changes in name of the parties in the agreement registered as Instrument No. 271951 N.S. and 285880 H.L. at the same annual rate which is to be prorated between the City and the Region on the basis of length, and that the appropriate City officials be authorized to execute the agreement.

NOTE: In 1955, Canadian Petrofina Limited and the City entered into an agreement to permit an oil pipeline on Beach Road (now called Burlington Street) for an annual fee of \$300. In 1964, a further agreement was entered into to provide for the extension of the pipeline north on Strathearne Avenue for a future annual fee of \$108.

In 1983 Petro-Canada Ventures now carries on the marketing for which Canadian Petrofina Limited had been responsible and thus requires the assignment of the two existing agreements to Petro-Canada Ventures.

12. i. That a School Traffic Officer be assigned to the intersection of Barton Street East and St. Ann Street.
- ii. That the Finance Committee be requested to recommend the method of financing.

NOTE: The cost of providing a School Traffic Officer at the above mentioned locations is estimated at \$3,000.

13. That a parking prohibition be implemented on the east side of Glendale Avenue North, commencing at Cannon Street East and extending to a point 59 feet southerly therefrom.
14. That the City purchase an easement from John Allan and Karin Allan having a frontage of 2m (6.56 feet more or less) by a depth of 51.816m (170 feet more or less) known as Municipal No. 47 Alderson Drive for the sum of \$201.00.

The cost of this project which will be approximately \$8,700 will be absorbed within the Public Works current budget estimate. The acquisition costs are chargeable to account #0280-02.

NOTE: The purchase by the City easements through privately owned lands, running south from Alderson Drive in Kennedy East Neighbourhood, said easements being required for flood control.

15. That the City purchase an easement from Joseph Buttaro and Shirley Buttaro having a frontage of 2m (6.561 feet more or less) by a depth of 51.816m (170 feet more or less) known as Municipal No. 39 Alderson Drive for the sum of \$201.00.

The cost of this project which will be approximately \$8,700 will be absorbed within the Public Works current budget estimate. The acquisition costs are chargeable to account #0280-02.

NOTE: The purchase by the City of easements through privately owned lands, running south from Alderson Drive in Kennedy East Neighbourhood, said easements being required for flood control.

16. That the sale of City owned lands to Dundurn Construction Company Limited being located east of Lake Avenue North and north of Queenston Road and containing 2.31409 acres for the sum of \$114,940.00 be completed.

NOTE: A deposit cheque in the sum of \$1,000 is hereby acknowledged and has been forwarded to the City Treasurer. The subject lands are composed of part of Lot 24, Concession 2, formerly in the Township of Saltfleet, now in the City of Hamilton, the said parcels of vacant land being more particularly described as being Parts 1 to 8 inclusive according to Reference Plan 62R-2640 and Parts 2, 3, 4 and 5 according to Reference Plan 62R-3664, reserving unto the City and the Regional Municipality of Hamilton-Wentworth an easement therein for the installation, use, maintenance and replacement of sewers and watermains.

The said easement will terminate upon registration of Valley Heights, proposed Plan of Subdivision.

Schedule "A", appended hereto, forms part of this Offer to Purchase:

"It is understood and agreed that Parts 1, 2, 3 and 5 according to Reference Plan 62R-2640 and Parts 2 and 5 according to Reference Plan 62R-3664 shall be used for highway purposes only and included in the proposed Plan of Subdivision to be known as Valley Heights.

The Plan of Valley Heights shall be registered within one year from the date of closing of this transaction and if in default, the Purchaser named herein shall convey the lands back to the City of Hamilton and at the same price without interest.

It is understood and agreed that the purchase price of the lands described herein covers the cost of the land only and the purchaser through a subdivision agreement for the Valley Heights, proposed Plan of Subdivision, will be responsible for the cost of services installed or to be installed, in, along, under or upon the lands being purchased and included in the said plan."

17. That Council respond favourably to the invitation of Regional Council for the City of Hamilton to appoint Mr. L. Sage to be a member of the Regional Technical Advisory Committee on GO ALRT, to serve as liaison between the Regional Technical Advisory Committee and the Council of the Corporation of the City of Hamilton; and

That Council request that Alderman Henry Merling be appointed as a second representative of the City of Hamilton to serve, along with Mr. Sage, as a liaison between the Regional Technical Advisory Committee and the Council of the Corporation of the City of Hamilton.

NOTE: For the information of Council, appended hereto is a copy of a letter from Chairman Anne Jones to Councillor Henry Merling regarding the Go Transit Expansion Technical Committee.

18. That the 735 Firebird Squadron Parent's Auxilliary of Dundas and Ancaster Air Cadets be granted approval to operate a "Beer Patio" in conjunction with the Hamilton International Air Show which will be held on Saturday, June 18, and Sunday, June 19, 1983, at the Hamilton Civic Airport.

NOTE: The Beer Patio will be situated in the area on the west side of Hangar #3 (Interflite). The patio will be supervised by parents and cadets and food will be served for the two day event through the auspices of the Hamilton Mountain Rotary Club.

19. That leave be granted to introduce the following bills:

(a) Bill A-38 - By-law to amend By-law No. 66-100 To Regulate Traffic.

RESPECTFULLY SUBMITTED

ALDERMAN H. MERLING, CHAIRMAN

R. C. Prowse, Secretary

May, 18, 1983
Attachs.

SCHEDULES "E", "F" & "G"
TRENHOLME SURVEY
CITY OF HAMILTON

SUBMITTED BY: A.J. CLARKE & ASSOCIATES LTD.
A. J. Irani
A.J. IRANI, P. ENG.

DATE: ... APRIL 4TH, 1983 ...

APPROVED BY: *A. J. Leach*
COMMISSIONER OF ENGINEERING

DATE: ... May 10/83 ...

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
DEPARTMENT OF ENGINEERING

SCHEDULE "E"

TRENHOLME SURVEY

REQUIREMENTS FOR BOUNDARY HIGHWAYS AND ESTIMATE OF COST

NIL

A. J. Clarke and Associates

SCHEDULE "F"

TRENHOLME SURVEY

REQUIREMENTS FOR OTHER THAN BOUNDARY HIGHWAYS.

WORKS TO BE INSTALLED BY SUBDIVIDER AND COSTS SHARED AS SHOWN.

	<u>ESTIMATED COST</u>	
	<u>SUBDIVIDER</u>	<u>CITY</u>
1. <u>TRENHOLME CRESCENT</u> FROM UPPER KENILWORTH AVE. (AT WESTERLY LIMIT OF LOTS 1 & 54), THENCE EASTERLY, SOUTHERLY AND WESTERLY TO UPPER KENILWORTH AVENUE (AT WESTERLY LIMIT OF LOTS 33 & 34). 390 M OF EQUIVALENT 8M WIDE ROADWAY.		
A) COMBINED CURBS AND WALKS 750M AT \$58.00	\$43,500.00	-
B) FINAL ROADS AND LOT GRADING (STANDARD DEEP STRENGTH ASPHALT PAVEMENT) 390M AT \$250.00	\$97,500.00	-
C) CATCH BASINS AND CONNECTIONS 8 SINGLE CATCH BASINS AT \$1,000.00 EA. 2 DOUBLE CATCH BASINS AT \$2,000.00 EA.	\$ 8,000.00 \$ 4,000.00	- -
TOTAL	\$153,000.00	-

- NOTES:
1. NO PRELIMINARY ROADS TO BE INSTALLED.
 2. ALL WALKS AND CURBS TO BE CONSTRUCTED WITHIN 6 MONTHS OF COMPLETION OF SEWER & WATER SERVICES.
 3. THE ASPHALT BINDER COURSE FOR ALL FINAL ROADS MUST BE CONSTRUCTED WITHIN 15 MONTHS OF THE COMPLETION OF SEWERS OR BY JUNE 15TH FOLLOWING IF THE 15 MONTH PERIOD ENDS AFTER OCTOBER 15.
 4. THE SURFACE COURSE FOR ALL FINAL ROADS MUST BE INSTALLED AT LEAST ONE YEAR AFTER INSTALLATION OF THE ASPHALT BINDER COURSE.

A. J. Clarke and Associates

SCHEDULE "G"

TRENHOLME SURVEY

PART "A"

WORKS TO BE CARRIED OUT AND PAID FOR BY THE SUBDIVIDER.

SEEDING

4.25M WIDE BOULEVARD FOR FRONTAGE AND FLANKAGE
OF LOTS 1 TO 57 (INCL.) ON TRENHOLME CRESCENT
AND UPPER KENILWORTH AVENUE.

COST CALCULATED AT \$2.40/SQ. M. FOR A TOTAL OF
3878.22 SQ. M.

\$ 9,308.00

MAINTENANCE (15%)

\$ 1,396.00

TOTAL FOR PART "A"

\$10,704.00

PART "B"

WORKS TO BE CARRIED OUT BY THE CITY AND PAID FOR BY THE
SUBDIVIDER.

TREES

FRONTAGE AND FLANKAGE OF LOTS 1 TO 57 (INCL.)

COST CALCULATED AT \$1.00/M FOR THE TOTAL
FRONTAGE AND FLANKAGE OF 912.522 M.

\$ 912.52

TOTAL FOR PART "B"

\$ 912.52

NOTE: ALL SEEDING TO BE PLANTED WITHIN 6 MONTHS OF
COMPLETION OF SIDEWALKS AND CURBS.

A. J. Clarke and Associates

SUMMARY SHEET

CITY'S SHARE

NIL

SUBDIVIDER'S SHARE

A. SERVICES TO BE INSTALLED AND PAID FOR BY THE SUBDIVIDER.

	<u>CONSTRUCTION Cost</u>	
1. CURBS AND WALKS	\$ 43,500.00	
2. FINAL ROADS & LOT GRADING	\$ 97,500.00	
3. CATCH BASINS & CONNECTIONS	\$ 12,000.00	
TOTAL CONSTRUCTION COST	\$153,000.00	
INSPECTION (2%)	\$ 3,060.00	
MAINTENANCE (3%)	\$ 4,590.00	
ENGINEERING (6.75%)	\$ 10,328.00	
SUB-TOTAL	\$170,978.00	\$170,978.00
B. LOCAL IMPROVEMENTS		-
C. REPLACING OF DAMAGED OR MISSING SURVEY MONUMENTS AND STANDARD IRON BARS.		\$ 2,250.00
D. TREE PLANTING		\$ 912.52
E. STREET NAME SIGNS (4 CORNER LOTS AT \$38.00/CORNER LOT)		\$ 152.00
F. SEEDING (INCLUDING MAINTENANCE OF \$1,396.00)		\$ 10,704.00
TOTAL SUBDIVIDER'S SHARE		\$184,996.52

TOTAL CITY'S SHARE	\$ -
TOTAL SUBDIVIDER'S SHARE	\$184,996.52
GRAND TOTAL	\$184,996.52

SCHEDULE "A"

DUNDURN CONSTRUCTION
COMPANY LIMITED

PART LOT 24, CONCESSION 2,
SALTFLEET TOWNSHIP, NOW
IN THE CITY OF HAMILTON


Costs attributable to Land..... \$ 114,940.00

TOTAL COMPENSATION..... \$ 114,940.00

It is understood and agreed that Parts 1, 2, 3 and 5 according to Reference Plan 62R-2640 and Parts 2 and 5 according to Reference Plan 62R-3664 shall be used for highway purposes only and included in the proposed Plan of Subdivision to be known as Valley Heights.

The Plan of Valley Heights shall be registered within one year from the date of closing of this transaction and if in default, the Purchaser named herein shall convey the lands back to the City of Hamilton and at the same price without interest.

It is understood and agreed that the purchase price of the lands described herein covers the cost of the land only and the purchaser through a subdivision agreement for the Valley Heights, proposed Plan of Subdivision, will be responsible for the cost of services installed or to be installed, in, along, under or upon the lands being purchased and included in the said plan.

 The Purchaser agrees that the restrictions, covenants and agreements cited on Schedule "A" shall not merge on the closing of this transaction.

DATED at Hamilton this 10 day of May 1983.

WITNESS:

DUNDURN CONSTRUCTION COMPANY LIMITED
Per


Vice-President


Secretary-Treasurer



THE REGIONAL MUNICIPALITY
OF HAMILTON - WENTWORTH

MAY - 9 1983

Office of the Chairman

Referred to in Section 17
of the 10th Report of the
Transport & Environment
Committee.

May 9, 1983

Councillor Henry Merling
City Hall

Dear Henry:

As I mentioned on Friday, I need your help
to straighten something out.

In discussing the Go Transit expansion Technical
Committee, Transit Committee felt that there should be
more City representation on it, recognizing of course
that the technical people from the City would be reporting
both to your Committee and to your Planning Committee.
It was recommended, therefore, that if the City would
agree, Mr. Lou Sage would be appointed since, of course,
he does relate to all of your Committees.

This is a technical committee - and I think
the Legislation and Reception Committee apparently did
not understand that in appointing you.

I think it is very important, however, that
no matter what you decide about the technical representa-
tive for the technical committee, a great deal of political
liaison work go on, and while both your and Councillor
McCulloch's committee will be discussing this at the
City level, Councillor Wade, Councillor Stout and I feel
that it would be very important that you meet with us
at the Transit Committee, whenever the Go expansion
is discussed here.

I wonder if you could have your recommendation
from Legislation referred back so that this can be clari-
fied, and we will be discussing it with our Transit Committee
at our next meeting. I am sure that our Transit Committee
will agree with what the Chairman, Vice Chairman and I
feel would be helpful by way of liaison.

Thanks for your help.

Regionally yours,

(Mrs.) Anne H. Jones

119 King Street West — 526-4200
P.O. Box 910, Hamilton, Ontario L8N 3V9

A.13

B

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **TWELFTH** Report and respectfully recommends:

1. Approval of Change Order No. 2 in favour of Dufferin Construction Co. in the amount of \$1,803.25 for additional work required in connection with the parking area of the Norman "Pinky" Lewis Recreation Centre Complex.
2. That the Chairman of the Parks and Recreation Committee, or his nominee, be authorized to attend the 1983 Annual Conference of the Ontario Parks Association being held in Sudbury, Ontario, July 27th to 30th, 1983.
3.
 - (a) Acceptance of an offer from Ontario Hydro to renew a licence agreement with regard to 0.37 acres of land in the block bounded by Birch Avenue, Cannon Street East, Wilson Street and Stirton Street, for a period of 20 years, for the sum of \$1.00.
 - (b) That the Mayor and City Clerk be authorized to execute the necessary documents which shall be subject to the approval of the City Solicitor.

NOTE: City Council on April 8th, 1975 approved the leasing of this parcel of land from Ontario Hydro for recreational purposes. The licence agreement permitted the City to use the lands for a period of 5 years for the sum of \$1.00. The tenancy exists at present without a formal agreement.

4. Approval of the sale of Lots 70, 71 and 72 Guildwood Drive, Oakington Estates, Phase V, Plan M-228, each with a frontage of 40 feet by a depth of 100 feet, to 456941 Ontario Ltd. for the total amount of \$60,000. A deposit cheque in the amount of \$6,000. is being held by the City Treasurer pending approval of this sale. This Offer to Purchase to close on or before August 12, 1983.

It is understood and agreed that the Vendor does not warrant the suitability of the land for any development use or any proposed use and the Purchaser understands that some fill has been placed on these lots. The Purchaser named herein through the execution of this Offer to Purchase hereby acknowledges receipt of a soil report prepared by Trow Ltd. Consulting Engineers, dated April 28, 1983.

It is understood and agreed that the Vendor, upon completion of this transaction will pay a commission of 5% of the purchase price to Canada Trust Realty, whose agent, Roger Francoeur, acted in this matter.

5. That the lease agreement granting permission to the Hamilton Jaycees to supervise and charge a parking fee for the use of Scott Park for Tiger Cat Football games, Hamilton

West Port Concept: Development of the Harbourfront Recreation Area

**A Proposal to the
CITY OF HAMILTON from;**



The Hamilton Harbour Commissioners are pleased to present this proposal to the City of Hamilton in an effort to co-operatively improve the Hamilton Harbour Waterfront. The Commissioners now consider it an opportune time to implement the first stage of the West Port - Harbourfront Recreation Area Concept as set out in our Port Master Plan.

The proposed project, as now envisioned, will include improvements to Guise Street and the construction of a pedestrian promenade, both with appropriate landscaping, linking the various park and activity zones along the waterfront. This proposal sets forth the Commissioners' outline of the work that would be undertaken as a co-operative effort between the Harbour Commissioners and the City.

Harbourfront Improvement Proposal

The City of Hamilton has now formally accepted the Harbour Commissioners' Pier 4 property donation for park purposes on Hamilton Harbour. This total property holding of 2.5 hectares (6.26 acres) has, in the Commissioners' opinion, great potential for park development as an attractive and highly visible feature of Hamilton Harbour. The Hamilton Harbour Commissioners, therefore, enthusiastically endorse and look forward to the City's plans to develop an attractive waterfront park on Pier 4 for the use and enjoyment of the harbour by the citizens of Hamilton. As this development proceeds, the Commissioners would hope to see the park development of Pier 4 proceed in conjunction with a broader overall plan to improve the appearance and accessibility of the immediate adjacent harbourfront area. Specifically, the various park and recreation activity areas along the harbourfront

between Bay and Catherine Streets are not being utilized to their full potential because of the lack of a unifying link to draw them together into one identifiable harbourfront recreational area. Initial improvements could be accomplished, rather quickly and economically, with a general clean-up of the area, some street improvements and construction of a landscaped pedestrian walkway (promenade).

The initial improvements should be followed by a concerted design effort necessary to create an attractive and enjoyable harbourfront recreation opportunity.

The following is a list of the specific works that could be undertaken in a co-operative effort between the City of Hamilton and the Hamilton Harbour Commissioners:

1. A pedestrian promenade running along Guise Street and anchored by Pier 4 Park at the west end and Eastwood Park on the east.
2. The promenade would link the following areas (running west to east):

<u>Area</u>	<u>Owner</u>	<u>Use</u>
Pier 4 Park	City	Park
Leander Boat Club	Hamilton Harbour Commissioners	Boating Club
Bay View Playground	City	Playground/Park
Royal Hamilton Yacht Club	Hamilton Harbour Commissioners	Yacht Club/Marina
Ken Soble Towers	City	Senior Citizens Apartments
Marine Dock	Hamilton Harbour Commissioners	Marina/Boat Services and Repair
Hamilton Harbour Commissioners' Administration Bldg.	Hamilton Harbour Commissioners	Offices

<u>Area</u>	<u>Owner</u>	<u>Use</u>
Harbour Police	Hamilton Harbour Commissioners	Police/Vessel Licences/Rescue
Pier 8 Park	Hamilton Harbour Commissioners	Park
Sailing School	Hamilton Harbour Commissoioners	Marina/School/ Boat Rentals
Two Small Vacant Lots	City	Park/Rest Nodes
Eastwood Park	City	Park/Sports Field

3. Reconstruction of Guise Street with curb and gutter from Pier 4 Park to Catherine Street, perhaps renaming the street to Marina Drive or some other appropriate nautical reference.

4. Complete landscaping of the promenade and street including plants, lighting and street furniture.

It is proposed that the appropriate respective contributions of this project might be as follows:

CITY OF HAMILTON

- (1) Design and construction of a waterfront park on Pier 4.
- (2) Reconstruction of Guise Street with curb and gutter from Pier 4 Park to Catherine Street.
- (3) Design and construction of a landscaped pedestrian promenade.

HAMILTON HARBOUR COMMISSIONERS:

- (1) Property necessary to widen and beautify Guise Street to permit the proposed work (nominal lease arrangement of \$1.00 per year).

- (2) Removal of boat storage sheds (construct new facility on Pier 8).
- (3) Landscaping of H.H.C. Marine Dockyard and entrance to Harbour Police.

Proposed Action:

The Project would be managed by a two-man committee, with a member from both the Harbour Commissioners and the City. Each member would be responsible for arranging the activities of his respective organization and the committee would, in turn, co-ordinate the project as a whole.

The Project could be planned, budgeted and scheduled this year for a spring construction start-up followed by opening by mid-summer of 1983. Our first step as presented herein is to obtain approval, in principle, from the City of Hamilton. It is hoped, that this will shortly hereafter be followed by detailed planning, preliminary engineering and cost estimates. Subsequently, our respective budgets could be struck and approved. Each organization would then proceed in conjunction with engineering and constructing their respective share of the work.

As you can appreciate, a close liaison and a co-operative effort will be required between the City's and the Commissioners' staff to ensure proper scheduling and compatible design of their respective works.

We recognize this concept will be the subject of much refinement but hope this report provides sufficient detail to establish the relative merits of the project.

The Hamilton Harbour Commissioners look forward to a favourable response

from the City in adopting this project, in principle, so that we may proceed to establish the necessary framework and liaison to bring this important harbourfront improvement plan to fruition.

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its **ELEVENTH** Report and respectfully recommends:

1. Approval of the awarding of the following contracts:

(a) **TEXACO CANADA, Toronto, Ontario**

Supply of light industrial fuel oil #2, in accordance with specifications issued by the Board of Education and Vendor's Tender as follows:

\$0.2349 per litre - posted tank wagon, price subject to change without notice.

NOTE: Lower of two tenders received.

(b) **GILLIES GUY LTD., Hamilton, Ontario**

Supply of domestic fuel oil #1 (stove oil), in accordance with specifications issued by the Board of Education and Vendor's Tender as follows:

\$0.2680 per litre - posted tank wagon, price subject to change without notice.

NOTE: Lower of two tenders received.

(c) **FIRESTONE CANADA INC., Hamilton, Ontario**

Tire maintenance and supply and delivery of tires and tubes in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

monthly maintenance cost @\$3,600. per month;
emergency calls @ \$18. per call.

Estimated cost of tires and tubes for 1983 = \$29,672.
Plus 7% Ontario Retail Sales Tax.

Term of contract until November 30, 1985 with a 5% increase as of May 1st, 1984 and an additional 5% increase as of May 1st, 1985, on tires and tubes only.

NOTE: Lowest of four acceptable tenders received.

(d) BURL-OAK LIGHTING & SIGN CO., Kilbride, Ontario

Service and maintenance of lighting in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

	Per month for the term June 1983 to November 30, 1984.	Per month for Option for period ending November 30, 1985.
City Hall	\$474.45	\$498.17
Library	\$168.57	\$177.00
C.U.P.	\$377.61	\$396.49
Farmer's Market	\$84.29	\$88.50
Hamilton Place	\$563.96	\$591.21
Convention Centre	\$294.32	\$309.04
TOTAL	\$35,337.60	\$24,724.92
TOTAL COST		\$60,062.52

NOTE: Lowest of eight tenders received.

(e) CIPOLLA'S SERVICES LTD., Greensville, Ontario

Service and maintenance of electrical systems in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

	Per month for the term June 1983 to November 30, 1984.	Per month for Option for period ending November 30, 1985.
City Hall	\$533.	\$586.
Library	\$533.	\$586.
C.U.P.	\$533.	\$586.
Farmer's Market	\$533.	\$586.
Hamilton Place	\$533.	\$586.
Convention Centre	\$533.	\$586.
TOTAL	\$57,564.	\$42,192.
TOTAL COST		\$99,756.

NOTE: Lowest of five tenders received.

2. Approval of the purchase of motor vehicles for various civic departments, as set out in schedule "A" attached.

3. Approval of the settlement of the following claims:

- (a) Mr. McKechnie, an employee of the Parking Authority, suffered injury when he was involved in a motor vehicle collision on November 28, 1980.

Legal action was commenced against the owner and driver of the other vehicle, which action was settled in the amount of \$931.50 inclusive of costs as approved by City Council at its meeting of March 8th, 1983.

After deduction of the City's expenses and costs, there remains a surplus of Seven Hundred Dollars (\$700.00) and it is recommended that in accordance with the authority granted under Section 8(4) of The Worker's Compensation Act, R.S.O., 1980, Chapter 539, payment of the surplus be made to Mr. McKechnie. The Worker's Compensation Act provides that in the event that Mr. McKechnie suffers a recurrence relating to this accident the above mentioned sum of Seven Hundred Dollars (\$700.00) remains as a credit to the City and Parking Authority and will be deducted from the amount of any further compensation or other benefits to which Mr. McKechnie may become entitled to from The Worker's Compensation Board with respect to this accident.

- (b) On August 26, 1982 Albina Pasilyas as Plaintiff issued a County Court Writ against Matteo Spallino and the City as Defendants, as a result of a motor vehicle accident which occurred on March 2, 1982.

She was stopping for an amber light when she was struck from behind by a City truck operated by City employee Matteo Spallino.

Her vehicle sustained damage in the amount of \$2,852. which was paid in October of 1982. She suffered injury to her head, neck and shoulders.

It is recommended that her claims be settled in the amount of \$3,215. inclusive of costs.

4. That the 1983 Reconstruction/Resurfacing Programme, as approved by the Transport and Environment Committee in the amount of \$4,700,000. and which was previously limited to financing from the City of Hamilton in the amount of \$3,170,000. be now extended to the total of \$3,497,000. as indicated in the 1983-1987 Capital Budget with the additional financing to be arranged from the 1982 excess unallocated capital levy of \$189,000. and the Reserve for Capital Projects of \$138,000. for a total additional financing of \$327,000. with the balance of the financing to come from the roadway subsidy from the Ministry of Transportation and Communications, estimated at \$1,203,000.
5. That the estimated amount of \$31,000 additional cost to the City, due to the 5% increase in O.H.I.P. premiums effective June 1, 1983, be financed from Account 0378-0104, "Increase in various benefits for 1983".
6. That effective July 1, 1983:
- (a) The equal instalment payments to the H.S.P.C.A. for their services performed for the City be revised from a quarterly basis to a monthly basis.

- (b) The animal licence revenue be kept and recorded by the H.S.P.C.A. instead of being turned over to the City, and that the appropriate downward adjustment of the City's contribution to the H.S.P.C.A. be made to compensate for this change.
- (c) The 1983 revenue and expenditure budget items relating to the H.S.P.C.A. be revised to reflect the above.

7. Approval of the audit fee of MacGillivray and Co. for the year 1983 for City-related expenses in the total amount of \$53,500.

NOTE: For the information of the members of City Council, this is an increase of 4.9% over the 1982 actual expenditure.

8. (a) Approval of the renewal of leases for the following sign locations, with Mediacom Inc. for one year, commencing January 1, 1983 for the total amount of \$11,562.48 plus taxes.
- (b) That the City Solicitor be authorized to prepare and have executed the necessary leases for these locations.

NOTE: The renewal fee is based on a charge of \$439.56 per year per poster panel and \$1,013.04 per year per bulletin board, plus taxes. The increase in rental charge is approximately 10% over the 1982 charges.

The committee further wishes to advise City Council that it has directed the Director of Real Estate to investigate, for future years, the feasibility of entering into longer term leases, were possible, with a view to deriving additional revenue.

LEASE NO	LOCATION	SIGN	AMOUNT
H138	Burlington s/s w/o Woodward	2PP's	879.12
H164	Britannia s/s e/o Cameron	2PP's	879.12
H293	King and Potruff Road	4PP's	1,758.24
H427	s/e Walmer & Woodward Avenue	2PP's	879.12
H192	Bay & Strachan s/e corner	4PP's	1,758.24
H507	s/s Burlington s/o Woodward	1 Bltn.	1,013.04
H196	s/w corner Burlington & Wentworth	2PP's	879.12
H222	248 Crockett & Upper Sherman	2PP's	879.12
H247	s/w corner James & Wilson	1PP (3 faces)	1,318.68
H789	s/e corner Burlington & Sherman	1PP	439.56
H793	s/e corner Cannon & Gage	1PP	439.56
H217	Concession s/s, e/o Sherman	1PP	439.56
			11,562.48

9. With the adoption of section 4 of the Twelfth Report of the Legislation Committee, City Council at its meeting May 10th, 1983 approved the payment of the account submitted by the Federation of Canadian Municipalities in the amount of \$15,321.70 to cover the City's annual membership fee from April 1, 1983 to March 31, 1984. Payment of this account has resulted in an overdraft of \$6,500. in account 0321-0193.

In this regard, the Finance Committee recommends a transfer of \$6,500. from the Contingency Account to account 0321-1093 to provide for this expenditure.

10. With the adoption of section 11 of the Fifth Report of the Finance Committee, City Council at its meeting February 22, 1983 authorized and directed the City Solicitor to make application for Private Legislation which would permit the City to guarantee interest payments on the principle amount of a mortgage as follows:
 - (a) The City guarantee interest to be paid only on an amount of mortgage not to exceed \$3,000,000. for any hotel developer.
 - (b) The period for guarantee shall be limited to three years from the date of completion.
 - (c) The interest rate to be paid by the City will be the amount as stated in the mortgage agreement, but limited to a maximum of 14%.

The City Solicitor has advised that, as directed, a draft Bill was submitted and further that a representative of the Government raised a number of questions with regard to the City's draft.

In this regard, the Finance Committee recommends that the application for Private Legislation be amended to include the following:

- (i) The City will not guarantee more than two (2) loans in any one year.
 - (ii) The City will not guarantee more than two (2) loans in total.
 - (iii) That Private Bill PR 15/83 have an expiry date of not later than November 30, 1985.
11.
 - (a) That the City Architect and Coordinator, Lloyd D. Jackson Square, be authorized and directed to proceed with the replacement of the boiler and heating system in the Brampton Street Yard building at an estimated gross cost of \$7,850., as provided for as part of item 33000 in the 1983 portion of the 1983-1987 Capital Budget.
 - (b) That the City's net cost of this project in the amount of \$3,925., being the gross cost of \$7,850. less \$3,925. cost-sharing by the Provincial Ministry of Energy, be financed from the 1982 Unallocated Capital Levy.
12.
 - (a) That approval be granted to proceed with the installation of a Jet Ice System at the Mountain Arena on Hester Street, at an estimated gross cost of \$22,500., as provided for as part of item 33000 in the 1983 portion of the 1983-1987 Capital Budget.
 - (b) That the City's net cost for this installation in the amount of \$11,250., being the gross cost of \$22,500. less \$11,250. cost-sharing by the Provincial Ministry of Energy, be financed from the 1982 Unallocated Capital Levy.
13. With the adoption of section 7 of the Ninth Report of the Transport and Environment Committee, City Council, at its meeting on May 10, 1983, requested the Finance Committee to approve the appropriate expenditure from the Off Street Parking Reserve Fund for the purpose of replacing "on street" vandalized parking meters in the City of Hamilton.

In this regard, the Finance Committee recommends that the estimated cost of \$19,750. to replace "on street" vandalized parking meters be financed by an approved overdraft in Traffic Department Account 0345-4075.

14. Item 10 of the Tenth Report of the Transport and Environment Committee makes reference to the acquisition of lands required to provide a continuous alleyway north of King Street running from Hess Street to Caroline Street, and requests the Finance Committee to recommend the method of financing the cost of acquiring the necessary lands.

In this regard, the Finance Committee recommends that the estimated cost of \$7,800. to acquire these lands be financed from the Reserve for Property Purchase Account No. 0280-02.

15. Item 12 of the Tenth Report of the Transport and Environment Committee makes reference to the placement of a school traffic officer at the intersection of Barton Street East and St. Ann Street, and requests the Finance Committee to recommend the method of financing the expenditure.

In this regard, the Finance Committee recommends that the estimated cost of \$3,000. to provide a school traffic officer at this location be financed by an approved overdraft in the School Traffic Officers Account No. 0347-0119.

16. (a) That in addition to the programme which presently provides for a Reduced Rate Transportation Card for various classes of persons, permitting the holder of the card to use half price bus tickets, a further programme be initiated to provide for these same classes of persons to purchase a monthly transit pass at one-half the regular price.
- (b) That the appropriate staff be authorized and directed to make the necessary arrangements with the transit authorities to give effect to this resolution.
17. That leave be granted to introduce the following bill:

BILL C-13 A by-law to levy the special charge for 1983 for the improvement area in the area between King William Street, Mary Street, Main Street East and James Street, designated by By-law 82-151.

Respectfully submitted,

**ALDERMAN P. J. PETERSON, CHAIRMAN
FINANCE COMMITTEE**

J. J. Schatz
Secretary

SUNTRACT RENTALS, Stoney Creek, Ontario.

Supply and delivery of Two (2) Vibrating Rollers, without trade-ins,
in accordance with specifications issued by the Director of Purchasing
and Vendor's Tender as follows:

Two (2) Duomat Model DR77 Vibrating Rollers at	
\$8,400.00 Each.....	\$16,800.00
Ontario Retail Sales Tax @ 7%.....	<u>1,176.00</u>
Total Net Price.....	\$17,976.00

NOTE: Lowest of 4 acceptable tenders.

SHERIDAN EQUIPMENT LTD., Toronto, Ontario.

Supply and delivery of One (1) Ingersoll-Rand P175WD Air Compressor, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender the the gross price of.....	\$12,070.50
Less trade-in allowance on #9003, 1970 Holman Compressor.....	<u>1,000.00</u>
Price less trade-in.....	\$11,070.50
Ontario Retail Sales Tax @ 7%.....	<u>774.94</u>
Total Net Price.....	\$11,845.44

NOTE: Lowest of 7 tenders.

FRINK CANADA, Cambridge, Ontario.

Supply and installation on City Owned Trucks, Three (3) Frink Two-Way Sander Dump Bodies, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the gross price of \$10,211.00 Each.....	\$30,633.00
Less trade-in allowance on 3 Bodies.....	<u>3,900.00</u>
Price less trade-ins.....	26,733.00
Ontario Retail Sales Tax @ 7%.....	1,871.31
Installation including Ontario Retail Sales Tax.....	<u>2,600.10</u>
Total Net Price.....	\$31,204.41

NOTE: Lower of 2 tenders.

MAPLE LEAF INDUSTRIAL SALES, Stoney Creek, Ontario.

Supply & Delivery of One (1) Ford Model 755 Loader/Backhoe
in accordance with specifications issued by the Director
of Purchasing and Vendor's Tender for the gross sum of.....\$69,250.00
Ontario Retail Sales Tax 7%.....4,847.50
Total Net Price.....\$74,097.50

Note: Lower of 2 tenders meeting the specifications.

ROBT. SLESSOR PONTIAC BUICK LTD., Grimsby, Ontario.

Supply & delivery of Two (2) GMC Suburban Dual Purpose
Fire Fighting Vehicles, in accordance with specifications
issued by the Director of Purchasing and Vendor's Tender,
without trade-ins, at \$15,048.00 Each.....\$30,096.00
License Transfers at \$5.00 Each.....10.00
Total Net Price.....\$30,106.00

Note: Lower of 2 tenders received.

EASTGATE FORD SALES & SERVICE, Hamilton, Ontario.

Supply and delivery of Three (3) 5 Ton Snow Plows & Sanding Trucks
in accordance with specifications issued by the Director of Purchasing
and Vendor's Tender as follows:

One (1) Ford L8000 Truck Chassis complete with Frink
Snow Plow & Sanding Body.....\$62,906.00
Less trade-in allowance on #9653, 1975 International 1800
Chassis with Sander Body.....500.00
Price less trade-in.....62,406.00
Ontario Retail Sales Tax 7%.....4,368.42
License Transfer.....5.00
Total Net Price.....\$66,779.42

Two (2) Ford L8000 Truck Chassis Complete with Frink
Snow Plows & Sanding Bodies, without trade-ins at
\$62,906.00 Each.....\$125,812.00
Ontario Retail Sales Tax 7%.....8,806.84
License Transfers at \$5.00 Each.....10.00
Total Net Price.....\$134,455.50

Note: Second lowest of 3 tenders received.

EASTGATE FORD SALES LTD., Hamilton, Ontario.

Supply & Delivery of One (1) 1/2 Ton Panel Truck in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

One (1) Ford #150 Cargo Van.....	\$9,621.00
(Without trade-in.)	
Ontario Retail Sales Tax 7%.....	673.47
License Transfer.....	5.00
Total Net Price.....	<u>\$10,299.47</u>

Note: Lowest of 3 tenders received.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **THIRTEENTH** Report for 1983 and respectfully recommends:

1. That approval be given to **Zoning Application 83-10, David Yacoob, owner**, to establish a modification to the "H" (Community Shopping and Commercial, etc.) District, for property located at No.303 York Boulevard, as shown on the plan attached marked APPENDIX "A", on the following basis:
 - (a) That the "H" (Community Shopping and Commercial, etc.) District provisions as contained in Section 14 of Zoning By-law No.6593 applicable to the subject property be modified to include the following variances as special requirements:
 - (i) that notwithstanding the provisions of Section 14(1) of Zoning By-law No.6593, a public hall with a maximum capacity of 171 persons shall be permitted within the existing building;
 - (b) That notwithstanding the provisions of Section 18(3)(iv)(e) of By-law No. 6593, no additional off-street parking shall be required for the public hall use;
 - (c) That the amending by-law be added to Section 19B of the Zoning By-law as Schedule S-831 and that the subject land on Zoning District Map W-12 be notated S-831;
 - (d) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning Map W-12 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk;
 - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The by-law provides for a modification to the established "H" (Community Shopping and Commercial, etc.) District regulations applicable to development on the lands located at No.303 York Boulevard, as shown on Zoning District Map W-12, to permit a public hall (banquet hall) having a maximum capacity of 171 persons within the existing building.

The by-law also provides for a modification to the parking regulations under Section 18(3)(iv)(e) of Zoning By-law No. 6593 by not requiring any additional off-street parking.

2. That the City of Hamilton approve a by-law to remove part-lot control on Lots 1 to 4 inclusive and Lots 7 and 8 on Plan M-242, Gilkson Meadows Annex (Phase 1) as shown on the plan attached marked APPENDIX "B"; and

That application be made to the Region to approve the by-law removing part-lot control on the above-noted lots.

3. That the draft approvals for **Rolga Heights (Regional File 25T-77046), Hillside Terrace (Regional File 25T-79018), Oakland Park Extension No.4 (Regional File 25T-79022), Aspen Estates (Regional File 25T-76045), Mohawk Gardens Phase 3 (Regional File 25T-79036)** shown on the plans attached marked APPENDICES "C", "D", "E", "F" and "G", be recommended for one (1) year extensions to the Region.

4. Hamilton Official Plan

- (a) That approval be given to Official Plan Amendment No.5 as follows:-

- (i) Schedule "A" (Land Use Concept) be amended by designating the existing Trans Canada Pipeline in Broughton East and West Neighbourhoods and the East Mountain Industrial Park as "Utilities";
- (ii) That Policy A.3.4.1(i) in Subsection A.3.4, Division of Land, be amended by deleting the word "prohibited" and replacing it with the word "discouraged";
- (iii) That a new Policy be added to Subsection A.3.2 - Environmentally Sensitive Areas - as follows:

A.3.2.9

In accordance with the Regional Official Plan, the boundaries of the Environmentally Sensitive Areas, as shown on Schedule "D", may be redefined as a result of a Feasibility Study and Impact Analysis, without an Amendment to this Plan;

- (iv) That words "and local business and professional offices" be added after the word "establishments" in Policy A.2.2.25, Subsection A.2.2 - Commercial Uses, so the policy will read as follows:

2.2.25

The LOCAL COMMERCIAL category applies to groups of, or individual commercial establishments and local business and professional offices serving the daily retail needs of surrounding residents, and primarily dependent upon pedestrian access; and,

- (v) That a new Policy be added to Subsection A.2.6 - Major Institutional Uses - as follows:

A.2.6.5

Notwithstanding the policies set out above, in areas designated MAJOR INSTITUTIONAL USES, Residential uses may be permitted provided they are compatible with the surrounding area.

(b) That the following changes, resulting from an Ontario Municipal Board Hearing and a Cabinet order respectively, be made to the appropriate text and schedules of the Official Plan:

(i) Schedule "A" (Land Use Concept), as it applies to only 43 to 125 Ottawa Street North, and 1201 to 1207 King Street East, be changed from "Residential" to "Commercial"; and,

- (ii) o Remove the Minister's "Referral to O.M.B. No.R-1" stamp from Schedules "A" and "F" (Land Use Concept and Major Roads respectively);
- o Remove the Minister's "Referral No.2 to the O.M.B." on Subsection A.2.7 - Utility Uses; and,
- o Remove the Minister's "Referral No.3 to the O.M.B." stamp on Subsection B.3.1, Road Network.

(c) That Policy A.2.3.35 - Subsection A.2.2, Commercial Uses, be corrected to read Policy A.2.2.35 as a result of a printing error.

Explanatory Note - The Hamilton Official Plan requires that an annual review be undertaken to identify minor changes for incorporation into the Plan. Accordingly, this review identified a number of areas for consideration as detailed in the attached report marked as APPENDIX "H". Each was assessed in detail and presented for consideration by the Planning and Development Committee at a public meeting on May 11, 1983.

These changes include: five policy and schedule changes which require an Official Plan Amendment; two changes as a result of an Ontario Municipal Board decision; and one change as a result of a printing error.

5. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-

326 Kenora Avenue
968 Beach Boulevard

56 Beach Boulevard
209 Locke Street South

6. That the City Solicitor be authorized and directed to prepare a by-law for the demolition of the building and the clearing of the lands at the property known as No. 15 Gerrard Street, pursuant to Sub-section (21) of Section 43 of The Planning Act, R.S.O. 1980 Chapter 379.

Explanatory Note - The property at 15 Gerrard Street is vacant and in a severely deteriorated condition both on the interior and exterior. The Building Department has proceeded against the property under the City of Hamilton Property Standards By-law No. 74-74 as amended, and now have a final and binding Order. The owner or persons having a financial interest in the Property have neither seen fit to comply with the Order nor appeal it - hence the recommendation to enforce the Order to secure the health, welfare and safety of the inhabitants of the surrounding area.

7. That the City Solicitor be authorized and directed to prepare a by-law for the demolition of the building and the clearing of the lands at the property known as No. 12 Whitfield Avenue, pursuant to Sub-section (21) of Section 43 of The Planning Act, R.S.O. 1980, Chapter 379.

Explanatory Note - The property at 12 Whitfield Avenue is vacant and in a severely deteriorated condition both on the interior and exterior. The Building Department has proceeded against the property under the City of Hamilton Property Standards By-law No. 74-74 as amended, and now have a final and binding Order. The owners or persons having a financial interest in the property have neither seen fit to comply with the Order nor appeal it - hence the recommendation to enforce the Order to secure the health, welfare and safety of the inhabitants of the surrounding area.

8. That the Chairman of the Committee of Adjustment or his nominee be authorized to attend the 1983 Annual Conference of the Provincial Ontario Association of Committees of Adjustment and Land Division Committees, to be held in London, Ontario, June 12 to 15, 1983.
9. That permission be granted to the Art Gallery for use of the Plaza Area for a Special Display in connection with the Karel Appel Exhibition, July 9 to September 17, 1983, including a reception on July 9, subject to the City Solicitor's approval of insurance and to satisfactory arrangements for clean-up, continuing pedestrian traffic etc.
10. That the Schedule of Payments submitted by the Downtown Business Improvement Area dated April 22, 1983, as set out below, be approved, from the 1983 B.I.A. Budget of \$100,000.00.

Previously requested	\$10,268.44
1st May	5,231.56
1st June	17,500.00
1st July	5,000.00
1st August	17,500.00
1st September	5,000.00
1st October	17,500.00
1st November	17,000.00
1st December	5,000.00
<hr/>	
Total approved budget 1983	\$100,000.00
<hr/>	

11. That leave be granted to introduce the following Bills:-
- (a) Bill D-83 - By-law to Amend Zoning By-law No. 6593 respecting land located at Municipal No. 264 MacNab Street South
 - (b) Bill D-84 - By-law to Establish Site Plan Control respecting land located at Municipal No. 264 MacNab Street South
 - (c) Bill D-85 - By-law to Amend Zoning By-law No. 6593 respecting land located at Municipal No. 249 Stone Church Road East

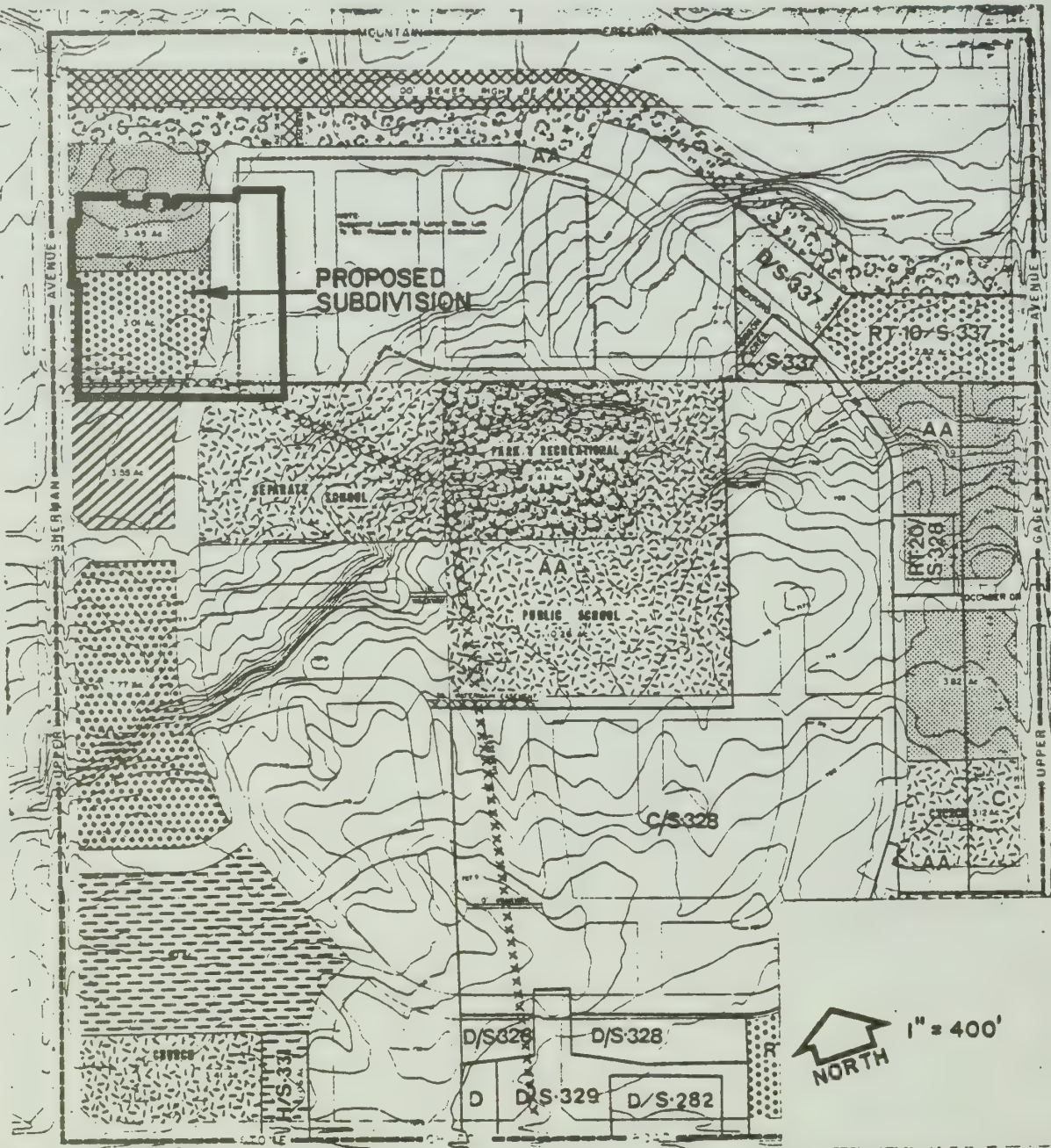
- (d) Bill D-86 - By-law to Amend Zoning By-law No. 75-61 as Amended by By-law No. 75-175 respecting land located at Municipal No. 120 John Street North
- (e) Bill D-87 - By-law to Adopt Official Plan Amendment No.5 respect Text Amendments to The Official Plan
- (f) Bill D-88 - By-law to Amend Zoning By-law No.6593 respecting Bus Shelters
- (g) Bill D-89 - By-law to Amend Zoning By-law No. 6593 respecting land located on the east side of Upper Ottawa Street, north of Carson Drive
- (h) Bill D-90 - By-law to Amend The Property Standards By-law No.74-74 respecting Protective Devices
- (i) Bill D-91 - By-law to Amend Zoning By-law No.6593 respecting land located on the north side of Lawrence Road in the area east of Kenilworth Avenue Interchange
- (j) Bill D-92 - By-law to Establish Site Plan Control respecting land located on the north side of Lawrence Road in the area east of Kenilworth Avenue Interchange

Respectfully submitted,

JDT:bg
May 11, 1983

Alderman W. M. McCulloch
Chairman

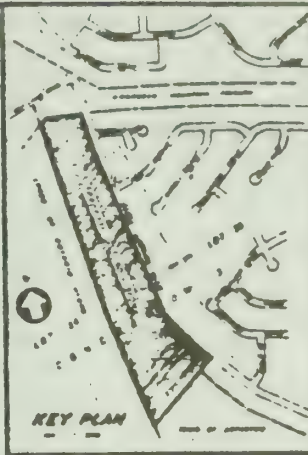
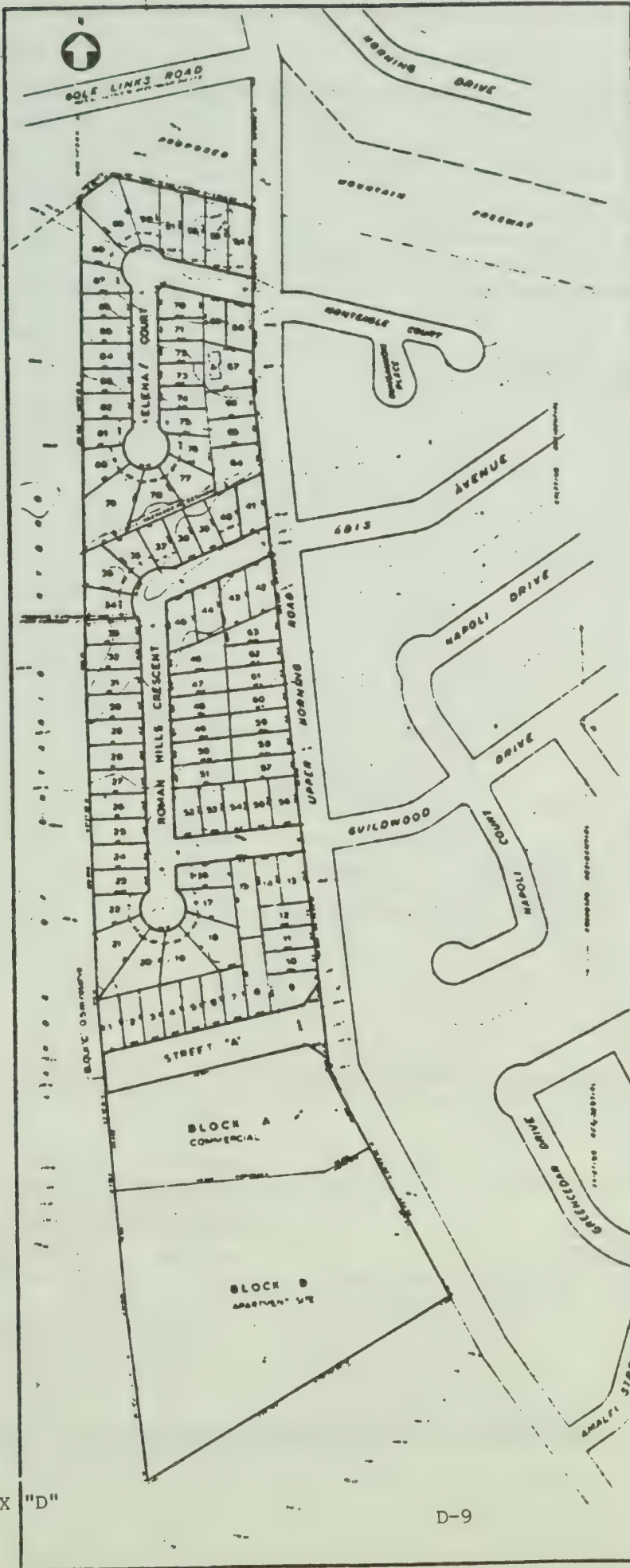
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LOCATION PLAN FOR
ROLGA HEIGHTS
PART LOT 8, CONCESSION 7
CITY OF HAMILTON

PROPOSED SUBDIVISION

8-1023-9



DRAFT PLAN OF: **HILLSIDE TERRACE**

PART OF LOTS 4- CONCESSION 3
FORMERLY IN THE TOWNSHIP OF BRUCE
CITY OF HAMILTON
PLANNED SUB 1975

NOTE THIS IS A DRAFT PLAN AND IS NOT TO BE USED FOR CONSTRUCTION OR FOR ANY OTHER PURPOSE.

METRIC ALL DIMENSIONS ARE IN METERS AND DECIMALS THEREOF.

- 1. LOT 1 TO LOT 30
- 2. LOT 31 TO LOT 60
- 3. LOT 61 TO LOT 90
- 4. LOT 91 TO LOT 120
- 5. LOT 121 TO LOT 150
- 6. LOT 151 TO LOT 180
- 7. LOT 181 TO LOT 210
- 8. LOT 211 TO LOT 240
- 9. LOT 241 TO LOT 270
- 10. LOT 271 TO LOT 300

LAND USE ZONE: COMMERCIAL
LOT 1 TO LOT 30: COMMERCIAL
LOT 31 TO LOT 60: COMMERCIAL
LOT 61 TO LOT 90: COMMERCIAL
LOT 91 TO LOT 120: COMMERCIAL
LOT 121 TO LOT 150: COMMERCIAL
LOT 151 TO LOT 180: COMMERCIAL
LOT 181 TO LOT 210: COMMERCIAL
LOT 211 TO LOT 240: COMMERCIAL
LOT 241 TO LOT 270: COMMERCIAL
LOT 271 TO LOT 300: COMMERCIAL

CONVEYANCE
THIS PLAN IS A DRAFT AND IS NOT TO BE USED FOR CONSTRUCTION OR FOR ANY OTHER PURPOSE.

CONVEYANCE
THIS PLAN IS A DRAFT AND IS NOT TO BE USED FOR CONSTRUCTION OR FOR ANY OTHER PURPOSE.

APPENDIX "D"

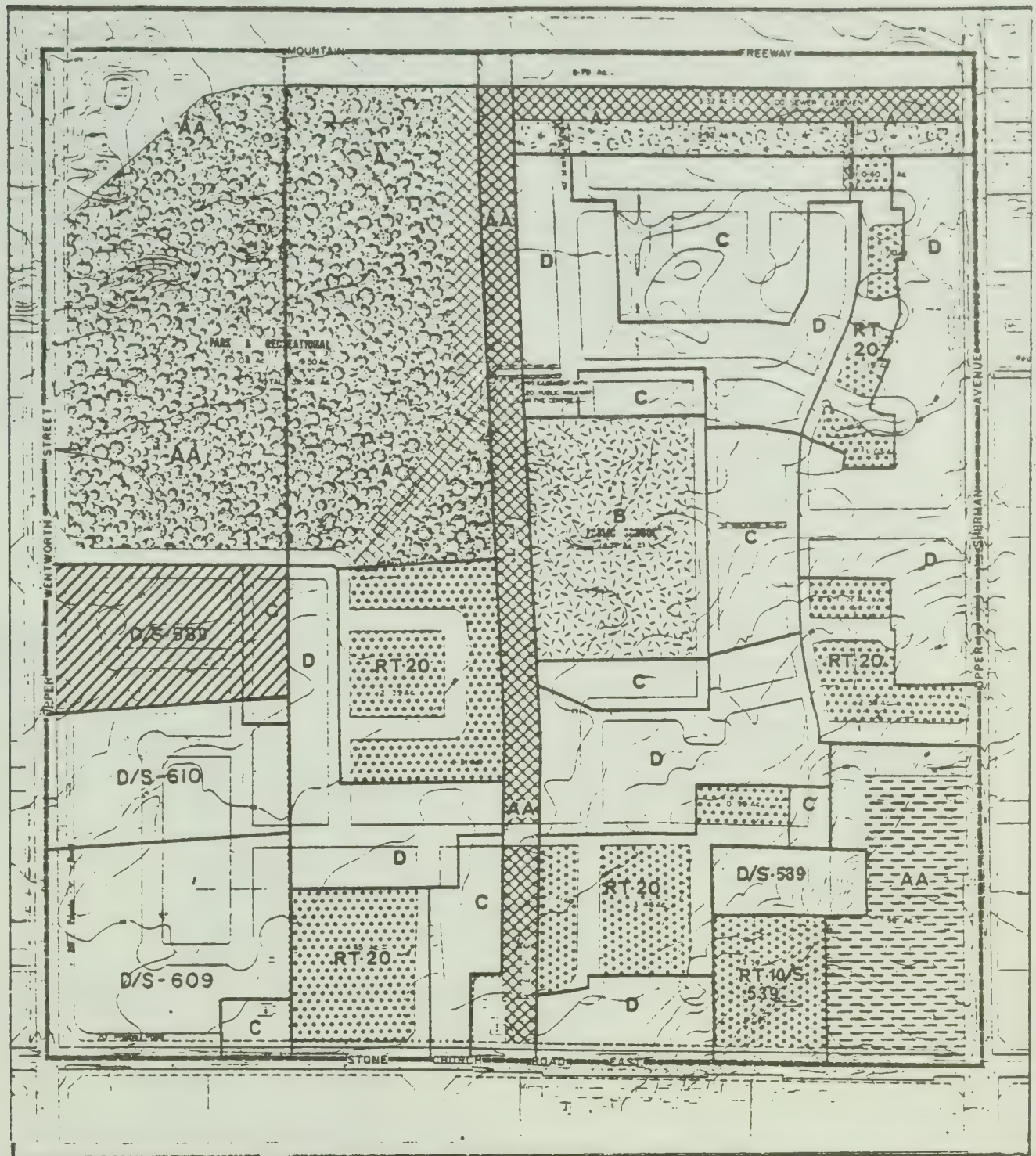
APPENDIX "D"

D-9

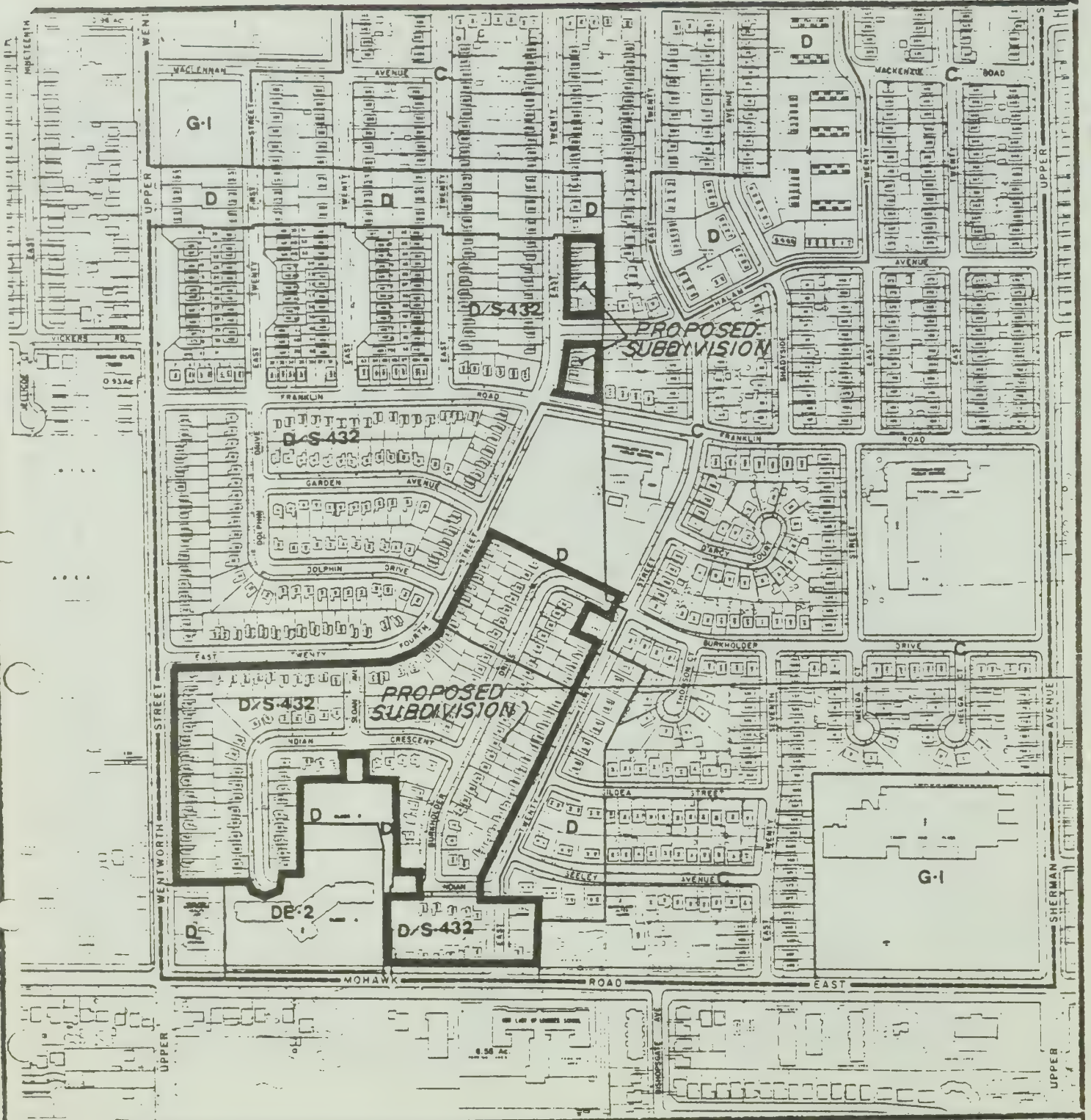
A. J. Clarke & Associates

"D"

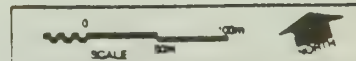
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<p>Location Plan For</p> <h2 style="margin: 0;">ASPEN ESTATES</h2> <p>Regional Municipality of Hamilton-Wentworth Planning and Development Department</p>		<p style="text-align: center;">Legend</p> <div style="display: flex; align-items: center; margin-bottom: 10px;"> <div style="width: 30px; height: 15px; background: repeating-linear-gradient(45deg, transparent, transparent 2px, black 2px, black 4px); border: 1px solid black; margin-right: 5px;"></div> <p>PROPOSED SUBDIVISION</p> </div> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; text-align: center; vertical-align: top;"> <p>North</p> </td> <td style="width: 25%; text-align: center; vertical-align: top;"> <p>Scale</p> <p>1:12000</p> </td> <td style="width: 25%; text-align: center; vertical-align: top;"> <p>Reference File No.</p> <p>25T-76045</p> </td> </tr> <tr> <td style="text-align: center; vertical-align: top;"> <p>Date</p> <p>May 1982</p> </td> <td colspan="2" style="text-align: center; vertical-align: top;"> <p>Drawing No.</p> <p>82-H-71</p> </td> </tr> </table>		<p>North</p>	<p>Scale</p> <p>1:12000</p>	<p>Reference File No.</p> <p>25T-76045</p>	<p>Date</p> <p>May 1982</p>	<p>Drawing No.</p> <p>82-H-71</p>	
<p>North</p>	<p>Scale</p> <p>1:12000</p>	<p>Reference File No.</p> <p>25T-76045</p>							
<p>Date</p> <p>May 1982</p>	<p>Drawing No.</p> <p>82-H-71</p>								



LOCATION PLAN FOR
DRAFT PLAN (MOHAWK PARK)
SUBDIVISION OF PART OF
REGISTERED PLAN NO. 1115
IN THE CITY OF HAMILTON
(FILE NO. 25T-79036)



HAMILTON OFFICIAL PLAN - FIRST ANNUAL UPDATE - APRIL 1983

ITEM NUMBER	POLICY AND/OR SCHEDULE REFERENCE	LOCATION AND/OR EXISTING POLICY	SOURCE	NATURE OF CHANGE REQUIRED	REASON	RECOMMENDED ACTION
A1	Schedule "A" Land Use Concept	Broughton East and West Neighbourhoods, East Mountain Industrial Park	Inquiry	Existing Trans Canada Pipeline in this area to be designated "Utilities".	Drafting omission.	Amend Schedule "A" accordingly.
A2	Subsection A.3.4 "Division of Land" Policy A.3.4.1 Clause (i)	(i) "Severances to create new lots where adequate municipal sewer and water services are not available will be prohibited;..."	Land Severance Application	Policy to be made less restrictive.	This clause was intended to limit severances for developable lots. In some cases, severances are requested for other reasons where immediate development is not contemplated. Such severances should possibly be recognized in the Plan. Accordingly, the present wording in the Plan may be too restrictive and should be loosened up to allow for these special situations.	Delete the word "prohibited" and replace it with the word "discouraged".
A3	Subsection A.3.2 "Environmentally Sensitive Areas"	None	Environmental Impact Statement - Toll Gate Ponds	Add a policy to permit the location of an Environmentally Sensitive Area (shown on Schedule "D") to be changed as a result of a detailed Environmental Impact Statement being prepared without an Amendment to the Official Plan.	A change of this nature now requires an Amendment to the Plan. The Regional Official Plan (Policy 5.3.3) allows such a change to take place without an Amendment.	Add a new Policy to Subsection A.3.2 Environmentally Sensitive Areas. A.3.2.9 "In accordance with the Regional Official Plan, the boundaries of the Environmentally Sensitive Areas, as shown on Schedule "D", may be redefined as a result of a Feasibility Study and Impact Analysis, without an Amendment to this Plan."

HAMILTON OFFICIAL PLAN - FIRST ANNUAL UPDATE - APRIL 1983

ITEM NUMBER	POLICY AND/OR SCHEDULE REFERENCE	LOCATION AND/OR EXISTING POLICY	SOURCE	NATURE OF CHANGE REQUIRED	REASON	RECOMMENDED ACTION
A4	Subsection A.2.2 "Commercial Uses"	Policy A.2.2.25 and A.2.2.26 "Local Commercial" Policies	Development Division	Reconsider the Local Commercial Policies relating to: • site area requirements; and, • uses permitted.	Preliminary assessment in implementing these policies is that the site area (.4 ha) may be too large and the uses permitted may be too vague.	Change Policy A.2.2.25 to also permit "local business and professional offices" in "Local Commercial" areas.
A5	Subsection A.2.6 "Major Institutional Uses"	None	Inquiry	Add a policy to permit residential uses within a "Major Institutional Uses" designation provided they would be compatible with the adjacent uses.	To allow for residential redevelopment or development of institutional sites no longer required for their original intended use.	Add a new Policy to Subsection A.2.6 "Major Institutional Uses": "A.2.6.5 Notwithstanding the policies set out above, in areas designated MAJOR INSTITUTIONAL USES, Residential uses may be permitted provided they are compatible with the surrounding area."
B1	Schedule "A" "Land Use Concept"	• 43 to 125 Ottawa Street North; and, • 1201 to 1207 King Street East	Ontario Municipal Board Decision	Both areas changed from "Residential" to "Commercial".	O.M.B. decision on Crown Point West Neighbourhood Plan dated July 10, 1982.	Amend Schedule "A" accordingly.
B2	Schedule "A" "Land Use Concept" Schedule "F" "Major Roads"	• Schedules "A" and "F", both sides of Upper James Street, south of Limeridge Road; and, Subsections: • A.2.7 Utility Uses • B.3.1 Road Network	Cabinet Orders Province of Ontario	Remove the Minister's: • "Referred to O.M.B. No. R-1" on Schedules "A" and "F"; • "Referral No. 2 to the O.M.B." on Subsection A.2.7; and, • "Referral No. 3 to the O.M.B." on Subsection B.3.1.	Cabinet Orders dated November 17, 1982 and December 8, 1982.	Amend Schedules "A" and "F" and the appropriate Subsections accordingly.

HAMILTON OFFICIAL PLAN - FIRST ANNUAL UPDATE - APRIL 1983

ITEM NUMBER	POLICY AND/OR SCHEDULE REFERENCE	LOCATION AND/OR EXISTING POLICY	SOURCE	NATURE OF CHANGE REQUIRED	REASON	RECOMMENDED ACTION
C1	Policy 2.3.35 Page 16	-	-	Should be corrected to 2.2.35.	Printing error.	Amend the text accordingly.

REPORT OF THE LEGISLATION COMMITTEE 4

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its **THIRTEENTH** Report for 1983 and respectfully recommends:

Grants and Civic Hospitality

1. That a grant in the amount of \$2,000.00 be provided to the Hamilton International Airshow Committee to be used to assist in defraying expenses in connection with a reception to be provided to approximately 400-500 performers, organizers and dignitaries associated with the Ninth Annual Hamilton International Airshow which is scheduled to be held Saturday, June 18 and Sunday, June 19, 1983 at the Hamilton Civic Airport.
2. That a Civic reception be provided to the skippers, crews and other dignitaries who will be participating in the 1983 Sir Humfrye Gilbert 400th Anniversary Sail to Newfoundland which is scheduled to take place in August 1983. Estimated cost, \$800.00. The Provinces of Ontario and Newfoundland, as well as the City of St. John's, Newfoundland, are hosting similar receptions throughout this cruise.
3. That a grant in the amount of \$250.00 be made to the Hamilton Checker Club to be used to assist in defraying expenses to be incurred in staging and hosting the Annual Canadian Checker Tournament to be held in the City of Hamilton September, 1983.
4. That a civic reception be provided on September 18, 1983 to approximately 150-175 people representing the Inductees and their families, Council Members and their spouses, organizers and spouses and Hall of Fame Sponsors as part of the 1983 Football Hall of Fame Induction Ceremonies. Estimated cost - \$4,000.00.
5. That a grant in the amount of \$900.00 be made to the Drum Corps International (Canada) to be used to assist in defraying expenses in connection with the Fifth Annual Drum Corps International Competition to be held at the Ivor Wynne Stadium, Friday, July 8, 1983. Anticipated attendance - 2,500 participants.
6. That a grant in the amount of \$400.00 be made to Mr. Dave Glover, 73 Uplands Avenue, Hamilton, to be used to assist in defraying expenses in hosting and entertaining a girls basket-ball team from Kansas City, Kansas, U.S.A., who will be visiting the City of Hamilton in July of this year to play a team from Buchanan Park.
7. That a grant in the amount of \$500.00 be made to the Ontario Provincial Open Karate Championships and the Canadian Grand National Team Championships to be held at the Hamilton Convention Centre on February 25, 1984, to assist in defraying expenses in connection with this championship. Estimated attendance - 1,000 competitors and 2,000 spectators.

8. That a grant in the amount of \$200.00 be made to CHI-RHO to be used to assist in defraying expenses incurred in staging and hosting "A Teen Appreciation Night" held recently in the City of Hamilton. This organization operates "The Happy Days Club" which is a recreational programme for mentally handicapped teenagers. A teen appreciation night is a thankyou dance for teenagers who are working in the City of Hamilton as volunteers.
9. Approval of the action of the Legislation Committee in providing a grant in the amount of \$200.00 to the Boy Scouts of Canada, Hamilton-Wentworth Region, to assist in offsetting expenses incurred in providing a reception to His Excellency and Mrs. John Black Aird, Lieutenant Governor of Ontario, on the occasion of the Annual Scout/Guide Parade held on Saturday, May 28, 1983.
10. Approval of the action of the Legislation Committee in providing lunch to the delegates who attended the Conference of Mundialized Communities which was held at the City Hall on Saturday, April 30, 1983. Estimated cost - \$360.00.
11. That **no action** be taken on the request from the Consumers' Association of Canada (Ontario) for a grant from the City of Hamilton to assist in defraying expenses incurred in staging and hosting the 36th Annual Conference of the Consumers' Association of Canada, which was held at McMaster University May 5 - 7, 1983. Estimated attendance - 150 delegates.
12. That **no action** be taken on the request from the Bach-Elgar Choral Society for a grant in the amount of \$2,000.00 to be used to charter two buses for the members of the Bach-Elgar Choir to perform at the Summer Festivals THE CHAUTAUQUA Institution in New York State, August 19 - 21, 1983.
13. That **no action** be taken on the request from the Cage Bird Society of Hamilton for a grant in the amount of \$1,740.00 to cover the cost of renting the auditorium at the Royal Botanical Gardens for a National Cage Birds Exhibition, October 7 - 9, 1983.

Civic Awards

14. That Civic Awards be made to the following:-
 - (a) Swimmers of the Hamilton-Wentworth Aquatic Club, who achieved various Ontario records as verified by the Canadian Amateur Swimming Association.
 - (b) Mr. Danny Sherry who won a Gold Medal for boxing at the 1983 Canada Winter Games, as verified by Boxing Ontario.

City Hall Facilities

15. Approval of the action of the Legislation Committee in authorizing the use of the City Hall Facilities by the Canadian Cancer Society on Sunday, May 29, 1983, in connection with their annual event "The Great Ride to Beat Cancer".
16. That approval be given to the application of Karel Soucek Productions, Hamilton, for the use of the Second Floor Foyer area of City Hall on June 10 and 11, 1983, to display approximately thirty paintings by Mr. Evel Knievel, who will be in the City of Hamilton from June 8-11, 1983 in connection with the Friday Night Motocross Spectacular.

Resolutions

17. That the following resolution from the Association of United Ukrainian Canadians be endorsed:

That City Council declare the City of Hamilton a Nuclear Weapons Free Zone.

Explanatory Note - The declaration of the City of Hamilton as a Nuclear Weapons Free Zone would indicate Council's intention that the production, testing, storage, transportation, processing, disposal or use of nuclear weapons or their components not be undertaken within the City of Hamilton.

18. That the Liquor Licence Board of Ontario be advised that the City of Hamilton has no objection to the issuance of a Special Permit to Canadian Vegetable Oil Processing, a division of Canada Packers, Inc., to allow the serving of wine at the Official Opening of their newly constructed plant at Victoria Avenue and Burlington Street, on June 14, 1983.

Other

19. Approval of the action of the Legislation Committee in authorizing the Chairman or his nominee and three additional members to attend the Annual Luncheon and Meeting of the Bureau of Municipal Research, held in the City of Toronto on May 25, 1983. Theme of meeting:- "Economic Development: The Challenge to Ontario's Municipalities."
20. That Aldermen J. Bethune and T. Murray be authorized to attend the Annual Conference of the Federation of Canadian Municipalities to be held in Moncton, New Brunswick, June 5-9, 1983.
21. That the Mayor be authorized to proclaim Monday, August 1, 1983, as a Civic Holiday in the City of Hamilton.
22. That the following tax adjustments, as recommended by the Tax Appeal Review Sub-Committee at its meeting held May 19, 1983, be approved:-

Schedule "A"	Compassionate	\$4,033.20
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23. That leave be granted to introduce the following Bills:-

- (a) Bill E-20 - By-law to Amend Health By-law No. 4798 respecting Basements and Cellars
- (b) Bill E-21 - By-law to confirm proceedings of the Council of the Corporation of the City of Hamilton

Respectfully recommended,

May 24, 1983
JDT:bg

Alderman V. J. Agro, Chairman
Legislation Committee

REPORT OF THE PERSONNEL COMMITTEE

To the Council of The Corporation of the City of Hamilton

Members of Council:

The Personnel Committee presents its **NINTH** Report for 1983 and respectfully recommends:

1. That a five per cent salary increase be approved for all permanent staff of Hamilton Place, with the exception of the General Manager, effective January 1, 1983.
2. Approval of the Appointments and Terminations in permanent and temporary service with The Corporation to May 25, 1983, as set out on the list appended hereto.

RESPECTFULLY SUBMITTED,

ALDERMAN P. COWELL,
CHAIRMAN.

K. E. Avery, Secretary,
May 25, 1983.

THE COMMISSION OF THE CITY OF BIRMINGHAM

REFERRED TO IN SECTION 2 OF THE NINTH
REPORT OF THE PERSONNEL COMMITTEE.

APPOINTMENTS IN PERMANENT SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mary Hammond	Typist Clerk II	Treasury	Returning to former position-due to return of R.Calcagni from maternal leave	E-2	\$284.69 per week	April 18, 1983
Janet Schoug	Records Clerk	Fire	New position as approved	E-4	\$320.36 per week	May 16, 1983

TERMINATIONS FROM PERMANENT SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Peter Zimmerman	Assistant Banquet Manager	Convention Centre	Obtained a position with Westin International	7 1/2 months	May 8, 1983

THE CORPORATION OF THE CITY OF EDMONTON

APPOINTMENTS IN TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mark Albrich	Red Cross Instructor	Culture and Recreation	Replacement-Board of Education using more pool hours now	K-3	\$4.00 per hour	April 25, 1983
Michael Boyle	Assistant Traffic Serviceman	Traffic	Summer staff	A-1	\$271.52 per week	May 2, 1983
Nick Caruso	Labourer	Public Works-Cemetery Division	Seasonal staff (permanent employee doing temporary job)	D-5	\$9.781 per hour	April 18, 1983
Brian Carver	Tree Climber	Public Works-Parks Division	Additional staff as approved by C.A.O.-59 days	D-9	\$9.991 per hour	April 14, 1983
Paul Chetcuti	Assistant Traffic Serviceman	Traffic	Summer staff	A-1	\$271.52 per week	May 2, 1983
Charles Coulson	Monitor	Culture and Recreation	Last season's staff-approved by C.A.O.	K-1	\$3.50 per hour	April 18, 1983
Karen Cushing	Accounting Student M.B.A. Co-op Project	Treasury	Temporary additional staff	MBA	\$359.87 per week	April 26, 1983

APPOINTMENTS IN TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Tony DiBenedetto	Assistant Traffic Serviceman	Traffic	Summer staff	A-1	\$271.52 per week	May 2, 1983
John DiFalco	Labourer	Public Works-Parks Division	Seasonal staff (Permanent employee doing temporary job)	D-5	\$9.781 per hour	April 14, 1983
Larry Fair	Labourer	Public Works-Parks Division	Seasonal staff (Permanent employee doing temporary job)	D-5	\$9.781 per hour	April 18, 1983
Mauro Finocchi	Assistant Traffic Serviceman	Traffic	Summer staff	A-1	\$271.52 per week	May 2, 1983
Charlie Gandt	Tree Climber	Public Works - Parks Division	Additional staff approved by C.A.O. 59 days	D-9	\$9.991 per hour	April 14, 1983
William Haves	Journeyman Painter	Real Estate - Property Mtce. Division	Recalled from a lay-off	PA	\$15.54 per hour	April 25, 1983
James Heene	Plan Examiner & Inspector	Traffic	Replacement for Mr. R. Kenyon - off sick	113	\$26,420.16 per annum	April 8, 1983
Paul Kelly	Assistant Traffic Serviceman	Traffic	Summer staff	A-1	\$271.52 per week	May 2, 1983
Donna Lambourne	Attendant II	Real Estate-Property Mtce. Division	Temporary additional staff as approved by C.A.O.	CH-2	\$266.03 per week	April 28, 1983
John Lamparski	Assistant Traffic Serviceman	Traffic	Summer staff	A-1	\$271.52 per week	May 2, 1983

May 25, 1983

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Dean Martin	Student I.M.A. Program	Treasury	Temporary additional staff	SO-35	\$170.00 per week	May 2, 1983
Daniel McDonald	Monitor	Culture and Recreation	Last season's staff-approved by C.A.O.	K-1	\$4.00 per hour	April 25, 1983
Rosanne Morgan	Personnel Clerk II	Personnel	Replacement for Mrs. J. Rorabeck-temporarily promoted	108	\$18,217.16 per annum	April 25, 1983
Karen Neske	Secretary A	Personnel	Replacement for Mrs. L. Peddle-maternal leave	111	\$20,180.16 per annum	April 25, 1983
Sarah Newham	Clerk Typist III	Traffic	Summer staff	E-1	\$260.14 per week	May 2, 1983
David Nuttley	Assistant Traffic Serviceman	Traffic	Summer Staff	A-1	\$271.52 per week	May 2, 1983
Gregory Padovani	Assistant Traffic Serviceman	Traffic	Summer Staff	A-1	\$271.52 per week	May 2, 1983
Anna Ricciardone	Student I.M.A. Program	City Clerk's	Government program	SO-35	\$170.00 per week	May 2, 1983
Joan Rorabeck	Personnel Clerk I	Personnel	Replacement for Miss K. Neske-temporarily promoted	110	\$18,587.92 per annum	April 25, 1983
Mark Savelli	Tree Climber	Public Works-Parks Division	Temporary additional staff as approved by C.A.O. (59 days)	D-9	\$9.991 per hour	April 14, 1983

May 25, 1983

THE CORPORATION OF THE CITY OF BATHON

APPOINTMENTS IN TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Peter Shirreffs	Labourer	Public Works-Parks Division	Seasonal staff (Permanent employee doing temporary job)	D-5	\$9.781 per hour	April 18, 1983
Alexandrina Simpson	Personnel Clerk II	Personnel	Replacement for Miss R. Morgan-temporarily promoted	108	\$16,087.24 Per annum	May 2, 1983
Allan Snow	Tree Climber	Public Works-Parks Division	Additional staff as approved by C.A.O.-59 Days	D-9	\$9.991 per hour	April 14, 1983
Alois Stokan	Labourer	Public Works-Cemetery Division	Seasonal staff (Permanent employee doing temporary job)	D-5	\$9.781 per hour	April 18, 1983
Mike Sumonja	Checker	Culture and Recreation	Replacement for Mr. V. Randazzo-promoted	K-1	\$4.00 per hour	April 29, 1983
Filomena Tassi	Part-time Cashier	Parking Authority	Temporary additional staff	V-1	\$3.55 per hour	April 18, 1983
Vito Tolone	Traffic Engineering Student Community College Co-op Program	Traffic	Co-op Program	SC 35	\$222.00 per week	May 2, 1983
Joseph Vudrag	Assistant Traffic Serviceman	Traffic	Summer staff	A-1	\$271.52 per week	May 2, 1983
Marjorie Walsh	Project Manager	Culture and Recreation	Government program	CW 2	\$210.00 per week	May 16, 1983

May 25, 1983

APPOINTMENTS IN TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Lyle White	Hydraulic Back Hoe Operator, Truck Driver and Labourer.	Public Works	Replacement for Mr. N. Metcalf-off sick	D-11, D-7, D-5 D-4 (a)	\$10.153, \$9.891, \$9.781 per hour \$9.611 per hour	April 18, 1983
Robert Williamson	Labourer	Public Works - Parks Division	Seasonal staff (Permanent employee doing temporary job)	D-5	\$9.781 per hour	April 21, 1983

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Deborah Arquard	Rink Checker	Culture and Recreation	End of season	7 months	April 9, 1983
Nancy Burnison	Community Sports Organizer	Culture and Recreation	Program finished	5 1/2 months	March 30, 1983
Elaine Burns	Attendant II	City Clerk's Market Division	Personal problems	3 years & 10 months	May 6, 1983
Thomas Cameron	Community Sports Organizer	Culture and Recreation	Personal Betterment	6 months	April 25, 1983
Nadine Christian	Community Sports Organizer	Culture and Recreation	End of season	6 months	April 30, 1983
John Dobson	Rink Checker	Culture and Recreation	End of season	7 months	April 15, 1983
Kenneth Duffield	Community Sports Organizer	Culture and Recreation	End of season	6 months	April 27, 1983
Diane Ellis	Community Sports Organizer	Culture and Recreation	End of season	3 months	April 28, 1983
Cameron Gallacher	Community Sports Organizer	Culture and Recreation	End of season	5 months	March 28, 1983
Julie Godber	Cashier	Culture and Recreation	Personal Betterment	3 years & 2 months	April 24, 1983
Domenica Gulli	Community Sports Organizer	Culture and Recreation	End of season	6 months	March 29, 1983

May 25, 1983

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
James House	Checker	Culture and Recreation	End of season	7 months	April 15, 1983
Teresa Lauber	Rink Checker	Culture and Recreation	End of season	7 months	April 15, 1983
William Le Clair	Rink Checker	Culture and Recreation	End of season	7 months	April 13, 1983
Fred Lucibello	Community Sports Organizer	Culture and Recreation	End of program	5 1/2 months	March 31, 1983
Margaret McLaughlin	Community Sports Organizer	Culture and Recreation	Personal Betterment	7 1/2 months	April 28, 1983
Kimberly Moffat	Community Sports Organizer	Culture and Recreation	End of season	6 months	April 21, 1983
Cheryl Della Maestra	Red Cross Instructor	Culture and Recreation	Personal Betterment	8 1/2 months	May 1, 1983
Stana Pasalic	Checker	Culture and Recreation	End of season	7 months	April 13, 1983
Anne Puisto	Cashier	Parking Authority	Personal Betterment	1 year & 10 months	April 8, 1983
Elizabeth Sajder	Cashier	Culture and Recreation	End of season	7 months	April 13, 1983

TERMINATIONS FROM TEMPORARY SERVICE

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Diane Saynor	Community Sports Organizer	Culture and Recreation	End of season	6 months	April 28, 1983
Stephen Spencer	Rink Checker	Culture and Recreation	End of season	7 months	April 6, 1983
Michael Steinmetz	Articling Student	City Solicitor's	Personal Betterment	6 1/2 months	April 29, 1983
Brenda-Lee Steinnagel	Community Sports Organizer	Culture and Recreation	End of season	5 1/2 months	March 29, 1983
Ronald Tischler	Checker	Culture and Recreation	End of season	2 months	April 13, 1983
Marco Traficante	Rink Attendant	Culture and Recreation	End of season	1 month	April 17, 1983
Sandra Troccoli	Community Sports Organizer	Culture and Recreation	End of season	6 months	April 20, 1983
Ann Tyleman	Cashier	Culture and Recreation	End of season	1 month	March 27, 1983
Susan Tysdale	Red Cross Instructor	Culture and Recreation	Personal Betterment	1 year & 7 1/2 months	May 4, 1983
Angus Warner	Community Sports Organizer	Culture and Recreation	End of season	5 months	March 28, 1983

May 25, 1983

REPORT OF THE SPECIAL COMMITTEE ON JOBS

To the Council of the Corporation of the City of Hamilton.

Members of Council:-

The Special Committee on Jobs presents its **FIFTH** Report for 1983 and respectfully recommends:

1. That the City of Hamilton support the application of the Hamilton and District Labour Council, on behalf of the Unemployed Workers' Help Centre, to the Canada Ontario Employment Development Programme for funds to carry out the following activities:
 - i. To provide training courses to develop skills and counselling for unemployed persons.
 - ii. Counselling services to provide assistance for laid-off workers in the greater Hamilton area.
 - iii. Assistance in communicating with the appropriate community agencies for the purposes of providing programmes in dealing with rent problems, mortgage and debt management, stress counselling, etc.
 - iv. Providing life-style education and uncovering basic skills for the purpose of increasing workers' potential on the job market.
 - v. Employing a handyman/driver to assist unemployed and laid-off persons in the community with emergency home repair service, defective appliances, correcting hazards in home, etc.
 - vi. Organizing activities to provide no cost recreation or cultural exposure.

NOTE: The Hamilton and District Labour Council, at its meeting held May 5, 1983, endorsed the following madate for its Help Centre for the Unemployed, located in Century 21, 200 Main Street East - Suite 206;

To establish services and programmes to meet a broad range of social needs having to do with advocacy and referral to social services and programmes in both the public and private sectors for individuals in need.

The Help Centre to be funded in part through the special per capita established on behalf of the Wage Restraint and Unemployed Co-ordinating Committee and through other sources as may be available to the Council from time to time.

The Centre to have a compliment of up to seven (7) full-time employees, including one (1) co-ordinator, who will be responsible and accountable to the Hamilton and District Labour Council, through a director appointed by the President of the Hamilton and District Labour Council. The accountability to include programme and service components, personnel matters and financial.

RESPECTFULLY SUBMITTED,

MAYOR R. M. MORROW,
CHAIRMAN

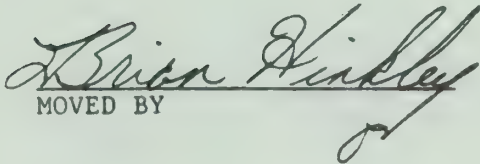
R. C. Prowse, Secretary.
May 13, 1983.

NOTICES OF MOTION

GIVEN AT PREVIOUS MEETING

✓C

NOTICE OF MOTION TO BE CONSIDERED AT CITY COUNCIL ON TUESDAY, MAY 31, 1983


MOVED BY


SECONDED BY

WHEREAS everyone should be entitled to the preparation, education and skill training necessary to obtain employment and make a contribution to society, and as a result of plant closings this may mean acquiring more than one skill and participating in more than one occupation in one's life time,

NOW THEREFORE BE IT RESOLVED that this Council request the provincial government to enact legislation guaranteeing regulated skill training and apprenticeship programmes, primarily funded by the private sector, with special emphasis placed on all aspects of high technology and particularly micro-processor and computer technology,

AND BE IT FURTHER RESOLVED that this resolution be forwarded to the Hon. William G. Davis; Mr. David Peterson, MLA; Mr. Bob Rae, MLA; our area Members of the Legislative Assembly and to all Ontario municipalities with populations in excess of 50,000, requesting their endorsation.

②

NOTICE OF MOTION TO BE CONSIDERED AT CITY COUNCIL ON TUESDAY, MAY 31, 1983

Mike Davison

MOVED BY

Brian Hinkley

SECONDED BY

WHEREAS current high levels of unemployment clearly indicate the need for better coordination of manpower,

NOW THEREFORE BE IT RESOLVED that this Council request that the Government of Canada and the provincial government agree to the continuous coordination and analysis of labour supply and demand between the provincial and federal agencies in order to evolve a properly planned manpower programme, sensitive to the needs of the work force; and while data gathering should be primarily the responsibility of the federal government, interpretation of the data should be done jointly, and all vacancies should be reported by law to federal manpower,

AND BE IT FURTHER RESOLVED that this resolution be forwarded to the Rt. Hon. Pierre E. Trudeau; the Hon. Erik Nielsen, M.P.; Mr. Ed Broadbent, M.P.; our area Members of Parliament; the Hon. William G. Davis; Mr. David Peterson, MLA; Mr. Bob Rae, MLA; our area Members of the Legislative Assembly and to all Ontario municipalities with populations in excess of 50,000, requesting their endorsement.

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NOTICE OF MOTION TO BE CONSIDERED AT CITY COUNCIL ON TUESDAY, MAY 31, 1983

B Charlton
MOVED BY

[Signature]
SECONDED BY

WHEREAS the Province of Ontario should have detailed procedures and specific ground rules designed to protect workers and the local community in cases of plant closings,

THEREFORE BE IT RESOLVED that this Council request the provincial government to convene a conference of all levels of government, industry and labour, to work out detailed procedures and specific ground rules to be followed in cases of plant shutdowns, mass layoffs and terminations of employment,

AND BE IT FURTHER RESOLVED that this resolution be forwarded to the Hon. William G. Davis; Mr. David Peterson, MLA; Mr. Bob Rae, MLA; our area Members of the Legislative Assembly and to all Ontario municipalities with populations in excess of 50,000, requesting their endorsement.

✓ 14

NOTICE OF MOTION TO BE CONSIDERED AT CITY COUNCIL ON TUESDAY, MAY 31, 1983

I. Murray
MOVED BY

D. Wilson
SECONDED BY

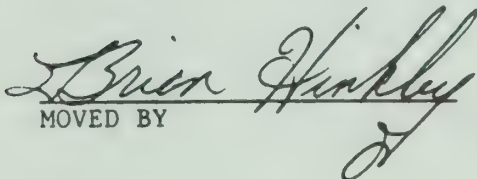
WHEREAS job loss attacks a worker's dignity and self respect,
as well as livelihood, and places undue strains on the family,

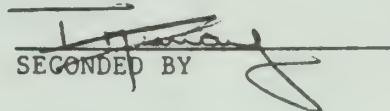
THEREFORE BE IT RESOLVED that this Council request the
provincial government to expand services which can cushion the grim
health and psychological consequences brought on by plant shutdowns
and other permanent job loss,

AND BE IT FURTHER RESOLVED that this resolution be forwarded to
the Hon. William G. Davis; Mr. David Peterson, MLA; Mr. Bob Rae, MLA; our
area Members of the Legislative Assembly and to all Ontario municipalities
with populations in excess of 50,000, requesting their endorsation.

✓ (B)

NOTICE OF MOTION TO BE CONSIDERED BY CITY COUNCIL ON TUESDAY, May 31, 1983


MOVED BY


SECONDED BY

WHEREAS plant closings have a devastating effect on workers' pension rights and entitlements,

THEREFORE BE IT RESOLVED that this Council request the Government of Canada and the provincial government to enact pension legislation recognizing that pension security should not depend on job security, that workers should be entitled to accumulate adequate pension benefits throughout their working lifetime, improving vesting and portability provisions and providing that pension funds be secured by employer assets,

AND BE IT FURTHER RESOLVED that this resolution be forwarded to the Rt. Hon. Pierre E. Trudeau; the Hon. Erik Nielsen, M.P.; Mr. Ed Broadbent, M.P.; our area Members of Parliament; the Hon. William G. Davis; Mr. David Peterson, MLA; Mr. Bob Rae, MLA; our area Members of the Legislative Assembly and to all Ontario municipalities with populations in excess of 50,000, requesting their endorsation.

1
⑥

NOTICE OF MOTION TO BE CONSIDERED AT CITY COUNCIL ON TUESDAY, MAY 31, 1983

Mike Dawson

MOVED BY


SECONDED BY

WHEREAS a plant shutdown should be considered a social emergency and government, industry and the community should be mobilized to provide help to workers involved while they are still employed, not after they have been unemployed for some time,

THEREFORE BE IT RESOLVED that this Council request the provincial government to enact legislation providing for a sufficient delay in a plant closing to allow time for a mandatory public hearing before a panel representing the community affected, government, industry and labour, requiring the Corporation to submit to a feasibility study and to reveal and justify the reasons for its decision, the panel would also assess the social and economic impact and consider alternatives. If the enterprise is economically viable and the Corporation persists with its decision to shut down, then the provincial government should seek, encourage and ensure alternate ownership.

AND BE IT FURTHER RESOLVED that this resolution be forwarded to the Hon. William G. Davis; Mr. David Peterson, MLA; Mr. Bob Rae, MLA; our area Members of the Legislative Assembly and to all Ontario municipalities with populations in excess of 50,000, requesting their endorsement.

✓B

NOTICE OF MOTION TO BE CONSIDERED BY CITY COUNCIL ON TUESDAY, MAY 31, 1983

B. Charlton

MOVED BY

Mike Dawson

SECONDED BY

WHEREAS current notice of termination legislation does not provide for sufficient notice to affected workers,

THEREFORE BE IT RESOLVED that this Council request the provincial government to enact legislation providing at least six months notice or payment in lieu of, to any group of ten or more workers whose employment is terminated or who are laid off for more than eight weeks regardless of reason, including termination or layoff taking place during a strike, lockout or vacation,

AND BE IT FURTHER RESOLVED that this resolution be forwarded to the Hon. William G. Davis; Mr. David Peterson, MLA; Mr. Bob Rae, MLA; our area Members of the Legislative Assembly and to all Ontario municipalities with populations in excess of 50,000, requesting their endorsation.

✓(8)

NOTICE OF MOTION TO BE CONSIDERED AT CITY COUNCIL ON TUESDAY, MAY 31, 1983

T. J. J. J.
MOVED BY

Brian Hinkley
SECONDED BY

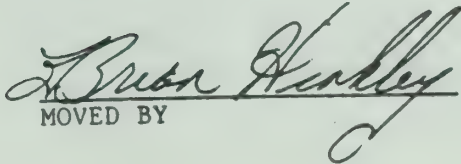
WHEREAS commitments to banks and other lending institutions currently have priority over employee wages in a corporate bankruptcy,

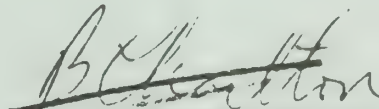
THEREFORE BE IT RESOLVED that this Council request that the Government of Canada amend the appropriate legislation to ensure that in case of bankruptcy, wages and other worker entitlements must have top priority,

AND BE IT FURTHER RESOLVED that this resolution be forwarded to the Rt. Hon. Pierre E. Trudeau; the Hon. Erik Nielsen, M.P.; Mr. Ed Broadbent, M.P.; our area Members of Parliament and to all Ontario municipalities with populations in excess of 50,000, requesting their endorsement.

✓ 9

NOTICE OF MOTION TO BE CONSIDERED AT CITY COUNCIL ON TUESDAY, MAY 31, 1983


MOVED BY


SECONDED BY

WHEREAS current severance pay requirements are inadequate to meet the needs of workers and their families,

THEREFORE BE IT RESOLVED that this Council request the provincial government to enact legislation providing a minimum of two weeks severance pay per year of service, separate and in addition to any notice of termination payments,

AND BE IT FURTHER RESOLVED that this resolution be forwarded to the Hon. William G. Davis; Mr. David Peterson, MLA; Mr. Bob Rae, MLA; our area Members of the Legislative Assembly and to all Ontario municipalities with populations in excess of 50,000, requesting their endorsation.

✓ 70)

NOTICE OF MOTION TO BE CONSIDERED AT CITY COUNCIL ON TUESDAY, MAY 31, 1983

Mike Dawson

MOVED BY

B. Chilton

SECONDED BY

WHEREAS technological and other such changes are one of the causes of worker displacement,

NOW THEREFORE BE IT RESOLVED that this Council request the Government of Canada and the provincial government to amend the Canada Labour Code and the Ontario Labour Relations Act so as to assist in resolving the complex problems that do not fit into the traditional collective bargaining "as usual" pattern and for which present legislation is inadequate, thereby permitting bargaining units to effectively negotiate with the right to strike as a final determinate, during the term of a collective agreement on all issues that could not have been foreseen at the time of signing the agreement,

AND BE IT FURTHER RESOLVED that this resolution be forwarded to the Rt. Hon. Pierre E. Trudeau; the Hon. Erik Nielsen, M.P.; Mr. Ed Broadbent, M.P.; our area Members of Parliament; the Hon. William G. Davis; Mr. David Peterson, MLA; Mr. Bob Rae, MLA; our area Members of the Legislative Assembly and to all Ontario municipalities with populations in excess of 50,000, requesting their endorsation.

✓ (11)

NOTICE OF MOTION TO BE CONSIDERED AT CITY COUNCIL ON TUESDAY, MAY 31, 1983

B. Charlton
MOVED BY

Brian Hindley
SECONDED BY

WHEREAS the Corporation responsible, rather than all the taxpayers, must bear the initial costs of a plant shutdown or other worker displacement.

NOW THEREFORE BE IT RESOLVED that this Council request the provincial government to enact legislation ensuring, where applicable, mandatory transfer rights (with no reduction in benefits) and requiring the Corporation responsible for a plant closing to provide income maintenance during retraining and relocation and to supplement early retirement benefits for older workers.

AND BE IT FURTHER RESOLVED that this resolution be forwarded to the Hon. William G. Davis; Mr. David Peterson, MLA; Mr. Bob Rae, MLA; our area Members of the Legislative Assembly and to all Ontario municipalities with populations in excess of 50,000, requesting their endorsement.

112

NOTICE OF MOTION TO BE CONSIDERED AT CITY COUNCIL ON TUESDAY, MAY 31, 1983

1. J. J. J.
MOVED BY

B. Charlton
SECONDED BY

WHEREAS every possible step must be taken to assist workers facing a plant closing in finding alternate employment as quickly as possible,

NOW THEREFORE BE IT RESOLVED that this Council request the provincial government to enact legislation providing, in case of plant closing, employer-paid time off during the notice period to facilitate job search and guaranteeing no loss of rights for those finding other employment before the employment termination date,

AND BE IT FURTHER RESOLVED that this resolution be forwarded to the Hon. William G. Davis; Mr. David Peterson, MLA; Mr. Bob Rae, MLA; our area Members of the Legislative Assembly, and to all Ontario municipalities with populations in excess of 50,000, requesting their endorsation.

MAY 31 1983

Bill No. A-38

By-law No. 83 -

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 26 (No Parking Areas) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March 1966, is hereby amended by adding to Section A (No Parking Anytime) the following item, namely:-

"Glendale	East	Cannon to a point 59 feet southerly therefrom".
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PASSED this day of , A.D. 1983.

City Clerk

Mayor

(1983) 10 R.T.E.C., May 31

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 264 MacNAB STREET SOUTH

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "C" (Urban Protected Residential, etc.) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding subsection 9(1) and clauses 19(ii,iii,vi,viii) of By-law No. 6593, and notwithstanding By-law No. 79-57, passed on the 30th day of January, 1979 and approved by the Ontario Municipal Board by Order dated the 12th day of April, 1979, (File No. R 791269), the existing building, including the front porch area, may be converted into a multiple dwelling containing not more than four self-contained Class A dwelling units, of which one dwelling unit may have a floor area of not less than 48.22 square metres, and
- (b) notwithstanding subclause 9(3)(i) and clause 19(x) of By-law No. 6593, a front yard of a depth of not less than 5.0 metres shall be permitted, and
- (c) paragraph 18(3)(iv)(c)(1) of By-law No. 6593 shall not apply, and
- (d) notwithstanding subsection 4(6) of By-law No. 6593, vehicular access to the land used for the said multiple dwelling shall be permitted

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions as varied by the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-623a".

4. Sheet No. W-6 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-623a".

5. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

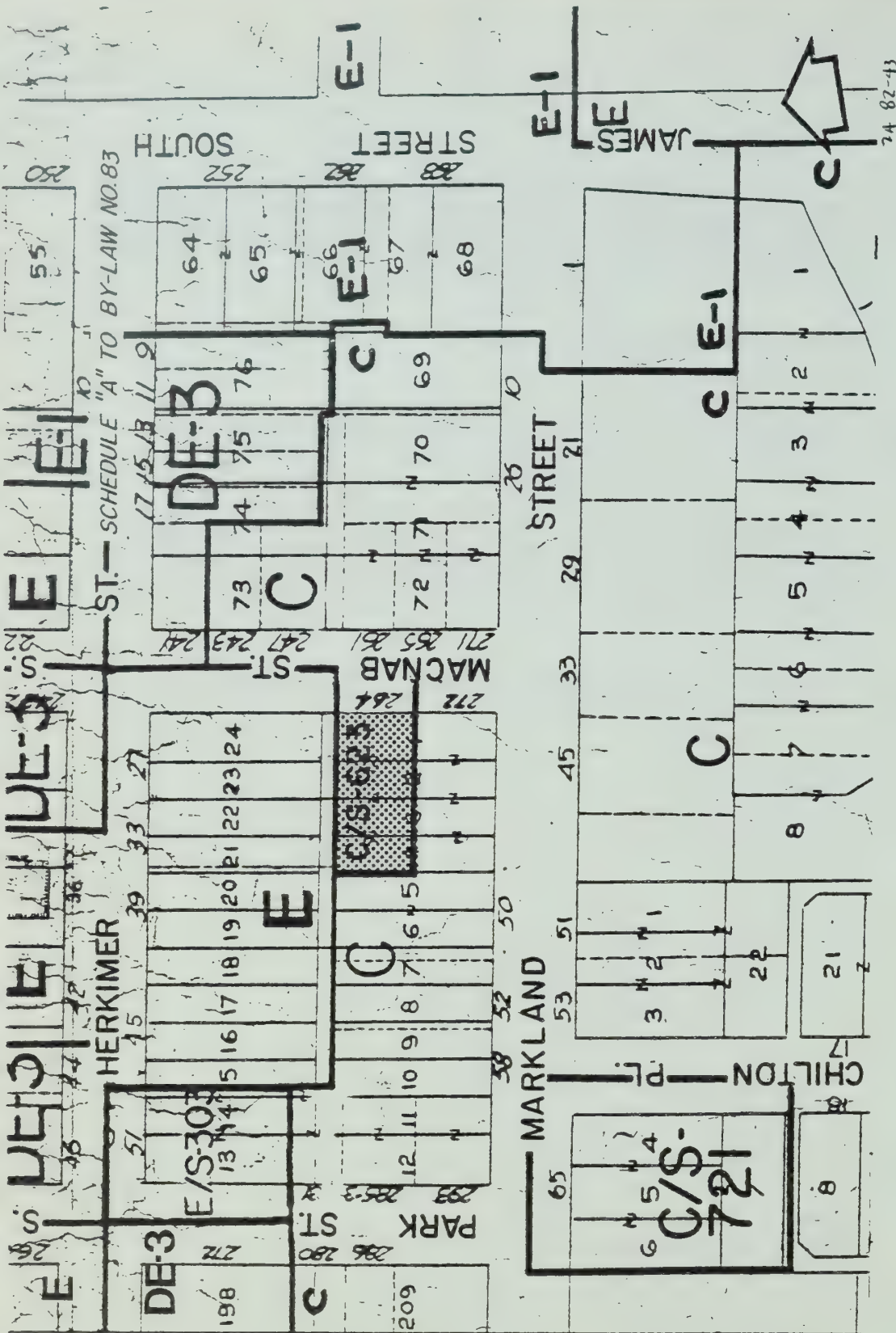
6. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 8 R.P.D.C. 1, April 12
K. A. Alleson, Owner
ZA-82-43



LEGEND

Lands on part of Sheet No. W-6 of the Zoning District Maps to be regulated by By-law No. 83 -

Bill No.

This is Schedule "A" to By-law No. 83 - passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NO. 264 MacNAB STREET SOUTH

WHEREAS By-law No. 79-275, passed on the 25th day of September, 1979, under section 35a of The Planning Act, as re-enacted by The Planning Amendment Act, 1979, S.O. 1979, Chapter 59, section 1, (now section 40 of The Planning Act, R.S.O. 1980, Chapter 379), established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land herein-after referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

61. Land located at Municipal No. 264 MacNab Street South, shown on Appendix 61 hereto annexed and forming part of this by-law.

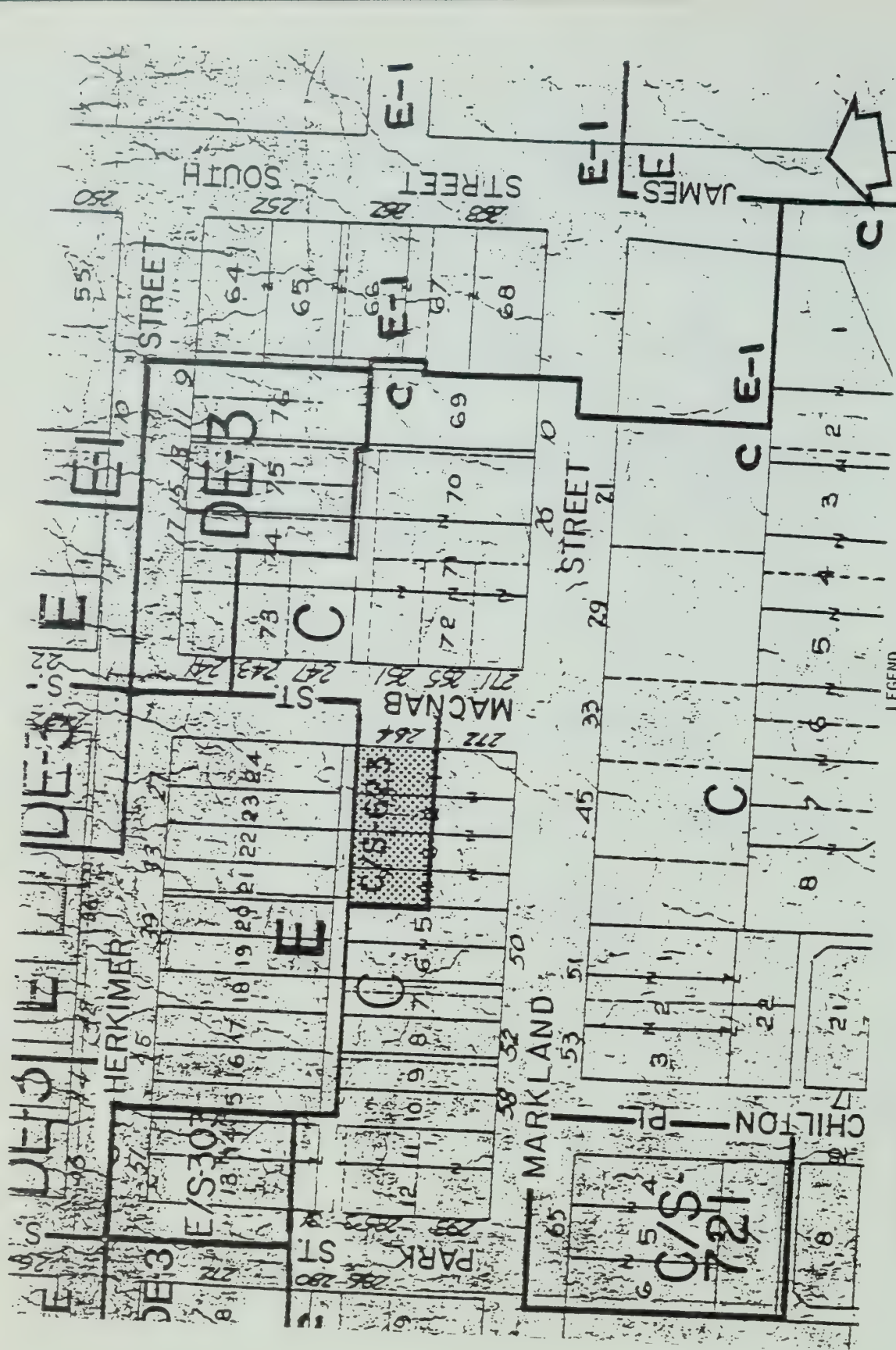
2. Schedule "A" is annexed hereto and forms part of this by-law and By-law No. 79-275, as Appendix 61.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 8 R.P.D.C. 1, April 12
K. A. Alleson, Owner
ZA-82-43



24 82-43

Lands on part of Sheet No. W-6 of the Zoning District maps forming part of By-law No. 6593 designated as an area of Site Plan Control pursuant to Section 35a of The Planning Act.

Appendix 61 to By-law No. 79-275.

Bill No.

This is Schedule "A" to By-law No. 63- passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 249 STONE CHURCH ROAD EAST

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, proposed by the Council of The Corporation of the City of Hamilton, but not yet approved by the Minister under The Planning Act at the time of the passing of the by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-18C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Block 1,

the extent and boundaries of which Block 1 are shown on a plan hereto annexed as schedule "A".

2. The "C" (Urban Protected Residential, etc.) district provisions applicable to the lands shown as Blocks 1 and 2 on schedule "A" hereto annexed, are amended to the extent only of the special requirements that,

- (a) notwithstanding subsection 9(1) of By-law No. 6593, the following,

- (i) COMMERCIAL USE shall be permitted:

- 1. Electronics communications and security installations and contracting business carried on within the principal building existing at the date of the passing of this by-law;

- (ii) ACCESSORY USE shall be permitted:

- 1. Workshop and storage of parts in conjunction with the use referred to in subclause (i), within the accessory buildings existing at the date of the passing of this by-law;

- (b) storage outside of any building or structure is prohibited;

- (c) parking of any vehicle in a front yard is prohibited;

- (d) landscaped areas not less than 1.5 metres in width shall be provided and maintained within the lot along,
 - (i) the northerly 38.00 metres of the westerly side lot line; and
 - (ii) the westerly 10.50 metres of the northerly rear lot line; and
 - (iii) the easterly 5.50 metres of the northerly rear lot line; and
 - (iv) the northerly 45.00 metres of the easterly side lot line;
- (e) a visual barrier not less than 1.2 metres and not greater than 2.0 metres in height shall be erected and maintained at the lot line abutting the landscaped areas.

3. No building or structure shall be erected, altered, extended or enlarged nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, as varied by the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-826".

5. Sheet No. E-18C of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-826".

6. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

7. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 8 R.P.D.C. 6, April 12
Intercom Sales and Installations Limited, Lessee
ZA-82-50

585

BLOCK 1 BLOCK 2

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 75-61

As Amended by By-law No. 75-175

Respecting:

LAND LOCATED AT MUNICIPAL NO. 120 JOHN STREET NORTH

WHEREAS By-law No. 75-61, passed on the 4th day of March, 1975, as amended by By-law No. 75-175, passed on the 24th day of June, 1975, provides for the setback of buildings and structures on major streets in the area below the escarpment and prohibits the erection, alteration, extension and enlargement of the buildings or structures within the area proposed for future road allowances;

AND WHEREAS it is desirable to exempt the property located at No. 120 John Street North in order to permit the erection of a ground sign on the proposed future road allowance as determined by the said by-laws.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 75-61, as amended by By-law 75-175, shall not apply to prohibit the erection of a ground sign having an approximate area of 5.6 square metres, with a minimum of 3.7 metres clearance from the grade level, to be located at Municipal No. 120 John Street North

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 12 R.P.D.C. 5, May 10

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Adopt:

Official Plan Amendment No. 5

Respecting:

TEXT AMENDMENTS TO THE OFFICIAL PLAN

The Council of The Corporation of the City of
Hamilton enacts as follows:

1. Amendment No. 5 to the Official Plan of the
Hamilton Planning Area consisting of Schedule 1, hereto
annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such
approval of the Official Plan Amendment referred to in
section 1 above, as may be requisite, be obtained and for
the doing of all things for the purpose thereof.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 13 R.P.D.C. 4, May 31

AMENDMENT NO. 5 TO THE
CITY OF HAMILTON OFFICIAL PLAN

PURPOSE

To incorporate a number of changes to the Official Plan identified as a result of the first annual review of the Plan.

BASIS

Policy D.6.1 of Subsection D.6 - Official Plan Amendments and Reviews, requires that an annual review of the Plan be undertaken to incorporate new information, as it becomes available, and minor changes into the Plan.

This review resulted in five changes to the Plan, which are based on the report and other documentation contained in the Appendices to this Amendment.

ACTUAL CHANGES

- i) Schedule "A" (Land Use Concept) of the Official Plan be amended by redesignating the lands shown in red on the attached Schedule "A" as "Utilities";
- ii) Subsection A.3.4 - Division of Land, Policy A.3.4.1(i), be amended by deleting the word "prohibited" and replacing it with the word "discouraged";
- iii) The following new policy be added to Subsection A.3.2. - Environmentally Sensitive Areas, as Policy A.3.2.9:

In accordance with the Regional Official Plan, the boundaries of the Environmentally Sensitive Areas, as shown on Schedule "D", may be redefined as a result of a Feasibility Study and Impact Analysis, without an Amendment to this Plan;

- iv) Subsection A.2.2 - Commercial Uses, Policy A.2.2.25 be amended by adding the words "and local business and professional offices" between the words "establishments" and "serving"; and,
- v) The following new policy be added to Subsection A.2.6 - Major Institutional Uses, as Policy A.2.6.5:

Notwithstanding the policies set out above, in areas designated MAJOR INSTITUTIONAL USES, Residential uses may be permitted provided they are compatible with the surrounding area."

IMPLEMENTATION

The provisions of Section "D" - Implementation, of the City of Hamilton Official Plan, as may be amended, will apply to the implementation of this Amendment.

Bill No. D-87

This is Schedule 1 to By-law No. 83- , passed on the day of
 , 1983.

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

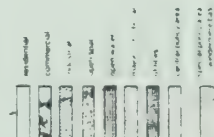
to the
official plan
for the
city of hamilton

legend

date may 1983	drawn by JGM	reference file no 5504025
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land use concept

legend



DEFERRED NO. 0.1 [*]
 UNDER SECTION 101 OF
 THE PLANNING ACT

(c) not subject to public inquiry

Schedule A

to the official plan
 for
 the City of Hamilton



The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

BUS SHELTERS

WHEREAS General Zoning By-law No. 6593 was passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS it is intended to exempt bus shelters from the zoning by-law requirements;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 6593 is amended by adding thereto the following section:

MISCELLANEOUS PERMITTED USES

- 3A. Notwithstanding any provision of this by-law, bus shelters constructed and maintained by a municipal transit authority shall be permitted in required yards in all Districts.

2. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

3. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 9 R.P.D.C. 3, April 26
City Initiative 82-K

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE EAST SIDE OF UPPER OTTAWA STREET,
NORTH OF CARSON DRIVE

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-59A of the District Maps, appended to and forming part of By-law No. 6593 is amended,

- (a) by changing from "DE" (Low Density Multiple Dwellings) district to "G-3" (Public Parking Lots) district, the land comprised in Block 1,

the extent and boundaries of which Block are shown on a plan hereto annexed as schedule "A".

2. The "G-3" (Public Parking Lots) district provisions applicable to the land comprised in Block 1, and the "G" (Neighbourhood Shopping Centre, etc.) district provisions applicable to the land comprised in Block 2 and shown on schedule "A", are respectively amended to the extent only of the special requirements that,

- (a) as to the "G-3" District provisions applicable to Block 1, notwithstanding section 13C of By-law No. 6593, a loading space and related loading dock and protective canopy shall be permitted; and
- (b) as to the "G" District provisions applicable to Block 2, notwithstanding subclause 13(3) (iii)(c) of By-law No. 6593, a rear yard for the commercial building shall not be required.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G" and "G-3" District provisions, subject to the special requirements referred to in section 2.

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

BUS SHELTERS

WHEREAS General Zoning By-law No. 6593 was passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS it is intended to exempt bus shelters from the zoning by-law requirements;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 6593 is amended by adding thereto the following section:

MISCELLANEOUS PERMITTED USES

- 3A. Notwithstanding any provision of this by-law, bus shelters constructed and maintained by a municipal transit authority shall be permitted in required yards in all Districts.

2. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

3. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 9 R.P.D.C. 3, April 26
City Initiative 82-K

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE EAST SIDE OF UPPER OTTAWA STREET,
NORTH OF CARSON DRIVE

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-59A of the District Maps, appended to and forming part of By-law No. 6593 is amended,

- (a) by changing from "DE" (Low Density Multiple Dwellings) district to "G-3" (Public Parking Lots) district, the land comprised in Block 1,

the extent and boundaries of which Block are shown on a plan hereto annexed as schedule "A".

2. The "G-3" (Public Parking Lots) district provisions applicable to the land comprised in Block 1, and the "G" (Neighbourhood Shopping Centre, etc.) district provisions applicable to the land comprised in Block 2 and shown on schedule "A", are respectively amended to the extent only of the special requirements that,

- (a) as to the "G-3" District provisions applicable to Block 1, notwithstanding section 13C of By-law No. 6593, a loading space and related loading dock and protective canopy shall be permitted; and
- (b) as to the "G" District provisions applicable to Block 2, notwithstanding subclause 13(3) (iii)(c) of By-law No. 6593, a rear yard for the commercial building shall not be required.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G" and "G-3" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-820".

5. Sheet No. E-59A of the District Maps is amended by marking the land referred to in sections 1 and 2 of this by-law, "S-820".

6. Clause (a) of section 2 and sections 3, 4 and 5 of By-law No. 73-291, passed on the 13th day of November, 1973 and approved by the Ontario Municipal Board by Order dated the 21st day of February, 1974, (File No. R 74239), are repealed.

7. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

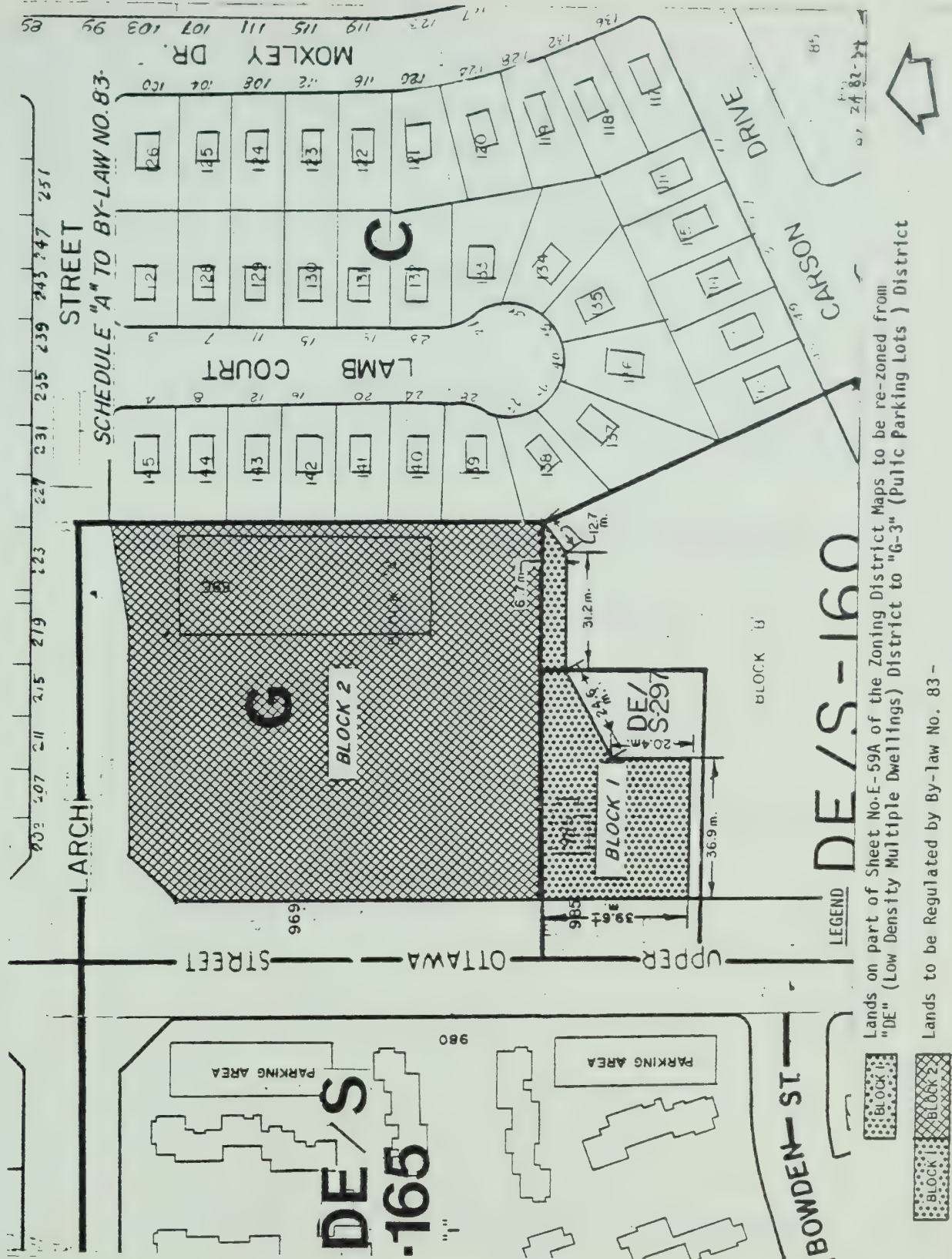
8. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1982) 20 R.P.D.C. 4, October 26
(1983) 6 R.P.D.C. 5, March 8
(1983) 9 R.P.D.C. 1, April 26
M.H.Y. Investments Limited, Owner
ZA-82-34



This is Schedule "A" to By-law No. 83- passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

The Property Standards By-law No. 74-74

Respecting:

PROTECTIVE DEVICES

WHEREAS By-law No. 74-74 was enacted on the 30th day of April, 1974 in accordance with section 36 of The Planning Act, R.S.O. 1970, Chapter 349, as re-enacted by S.O. 1972, Chapter 118, section 7, (now R.S.O. 1980, Chapter 379, section 43);

AND WHEREAS it is desirable that protective devices be required for all dwelling units instead of being required only for multiple dwellings;

AND WHEREAS it is desirable that the requirements aforesaid be posted in buildings containing at least ten dwelling units.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 74-74 is amended by striking out "Multiple Dwelling" in the section title immediately preceding section 29a, and substituting in lieu thereof "Dwelling Unit".
2. Subsection 29a(1) of the said by-law is amended by striking out "multiple dwelling" in the first line and substituting in lieu thereof "dwelling unit".
3. Section 29a of the said by-law is amended by adding thereto the following subsection:
 - (4) The owner of a building containing 10 or more dwelling units shall post or display or cause to be posted or displayed and shall maintain or cause to be maintained a legible and clearly printed copy of this section, conspicuously placed in the building so as to be clearly visible and available for ready viewing and easy reading by tenants or occupants of the building.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 12 R.P.D.C. 7, May 10

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE NORTH SIDE OF LAWRENCE ROAD,
IN THE AREA EAST OF THE KENILWORTH AVENUE INTERCHANGE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-66 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) district to "H" (Community Shopping and Commercial, etc.) district, the land comprised in Block 3,

the extent and boundaries of which Block are shown on a plan hereto annexed as schedule "A".

2. The "H" (Community Shopping and Commercial, etc.) district provisions applicable to the lands comprised in Blocks 1A and 3 shown on schedule "A", are amended to the extent only of the special requirements that,

- (a) Despite subsection 14(1) of By-law No. 6593, no use except the following,
 - (i) COMMERCIAL USE shall be permitted:
 - 1. A business office.
 - (ii) ACCESSORY USES shall be permitted to the use referred to in subclause (i):
 - 1. Sales, storage and services related to a cable television and communications and installations business;
- (b) Despite clause 4(3)(a) of By-law No. 6593, the commercial use herein shall be permitted on the same lot as the residential use existing on the date of the passing of this by-law;
- (c) Despite clause 18(3)(iv) of By-law No. 6593, parking shall be provided and maintained on

the same lot at the rate of one parking space for every 31.0 m² of gross floor area of the building in which the commercial use herein is permitted, in excess of the first 450 m².

- (d) No parking space shall be permitted in the required front yard;
- (e) There shall be provided and maintained,
 - (i) a landscaped area having a depth equal to the depth of the required front yards abutting the street line of Lawrence Road;
 - (ii) abutting the whole of the easterly side lot line and within the "H" District,
 - A. a landscaped area not less than 3.0 metres in width; and
 - B. a visual barrier not less than 1.2 metres and not more than 2.0 metres in height.

3. Sections 2, 3 and 5 of By-law No. 81-154 shall not apply to the lands comprised in Block 1A, shown on schedule "A".

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions as varied by the special requirements referred to in section 2.

5. By-law No. 6593 is amended by adding this by-law to section 19B as "S-742a".

6. Sheet No. E-66 of the District Maps is amended by marking the lands referred to in section 2 of this by-law, "S-742a".

7. The City Clerk is hereby authorized and directed to proceed as soon as possible with the giving of notice of the passing of this by-law, including a brief explanation of its purpose, and with the carrying out of all other directions of the Ontario Municipal Board relating to the giving of such notice.

8. The City Solicitor is hereby authorized and directed to make application to the Ontario Municipal Board for the necessary approval of this by-law.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 12 R.P.D.C. 3, May 10
Sackville Hill Builders Supply Limited, Owner
ZA-83-24

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED ON THE NORTH SIDE OF LAWRENCE ROAD,
IN THE AREA EAST OF THE KENILWORTH AVENUE INTERCHANGE

WHEREAS By-law No. 79-275, passed on the 25th day of September, 1979, under section 35a of The Planning Act, as re-enacted by The Planning Amendment Act, 1979, S.O. 1979, Chapter 59, section 1, (now section 40 of The Planning Act, R.S.O. 1980, Chapter 379), established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land herein-after referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

63. Land located on the north side of Lawrence Road, in the area east of the Kenilworth Avenue Interchange, shown on Appendix 63 hereto annexed and forming part of this by-law.

2. Schedule "A" is annexed hereto and forms part of this by-law and By-law No. 79-275, as Appendix 63.

PASSED this day of A.D. 1983.

City Clerk

Mayor

(1983) 12 R.P.D.C. 3(ix), May 10

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Levy the Special Charge for 1983 for the Improvement Area in the Area between King William Street, Mary Street, Main Street East and James Street, designated by By-law 82-151

WHEREAS, pursuant to Section 217(10) of The Municipal Act, R.S.O. 1980, Chapter 302, the Board of Management for the Improvement Area has submitted Estimates for the year 1983;

AND WHEREAS a Special Charge is to be levied to raise the sum equal to the total of the Estimates,

THEREFORE, the Council of the Corporation of the City of Hamilton enacts as follows:

1. The Estimates of the Board of Management for the Improvement Area in the area between King William Street, Mary Street, Main Street East and James Street for 1983 in the amount of \$100,000 are hereby approved.
2. In order to raise the said \$100,000, there is hereby levied a mill rate of 17.1716 as a Special Charge on the persons in the Area assessed for business assessment, in accordance with By-law 82-152, as follows:
 - (1) The assessed value of all the real property in the Area used as the basis for computing business assessment, (known herein as "the Total Assessed Value") is \$6,855,589
 - (2) The assessed value of the real property that is used as the basis for computing the business assessment of City Parking Holdings Limited with respect to the hotel business known as "The Royal Connaught Hotel" at 82 King Street East is \$728,591
This is reduced by two-thirds 485,730
to produce the Reduced Assessed Value of that business: \$242,861
 - (3) The assessed value of the real property that is used as the basis for computing the business assessment of Commonwealth Holiday Inn of Canada Limited with respect to the hotel business known as "The Holiday Inn" at 150 King Street East is \$819,450
This is reduced by two-thirds 546,303
to produce the Reduced Assessed Value of that business: \$273,147
 - (4) "The Reduced Total Assessed Value" is \$6,855,589 - (485,730 + 546,303): \$5,823,556
 - (5) The Mill Rate for the Special Charge is calculated by:
 - (a) dividing the approved estimates of the Board of Management, \$100,000

(b) by the Reduced Total Assessed Value, \$5,823,556, and

(c) multiplying the result by 1,000:

17.1716

3. The portion of the Special Charge to be paid by the hotel business in sub-paragraph 2.(2) shall be determined by multiplying its Reduced Assessed Value by the Mill Rate.
4. The portion of the Special Charge to be paid by the hotel business in sub-paragraph 2.(3) shall be determined by multiplying its Reduced Assessed Value by the Mill Rate.
5. The portion of the Special Charge to be paid by each of the other persons in the Area assessed for business assessment shall be determined by multiplying the assessed value of the real property that is used as the basis for computing the business assessment of such person by the Mill Rate.

PASSED this

day of

A.D. 1983

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 83-

To Amend:

Health By-law No. 4798

Respecting:

BASEMENTS AND CELLARS

WHEREAS section 1 of The City of Hamilton Act, S.O. 1951, Chapter 103, provides that subject to the approval of the Ontario Municipal Board the Council of The Corporation of the City of Hamilton may pass by-laws,

1. for amending and revising from time to time By-law No. 4798, and
2. for regulating, in any such amending or revising of said By-law No. 4798, all matters relating to the design, erection, alteration, demolition, removal, maintenance, and use of buildings and structures and the use of land, and the design, construction, installation, alteration, maintenance and use of all equipment, facilities, matters and things, for the better protection of persons from conditions that may be or become injurious to health;

AND WHEREAS By-law No. 4798 was passed on the 29th day of September, 1936;

AND WHEREAS it is intended to permit the occupancy of a basement or cellar as a habitable room.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The definition of Habitable Room in section 201 of By-law No. 4798, is amended by striking out "cellar", in the ninth line.
2. Clause 408(d) of the said by-law is amended by striking out "in a "cellar" or other such" in the third line and inserting in lieu thereof "any".
3. (1) Subclause 409(c)(i) of the said by-law is amended by striking out "cellar" or".
(2) Clause 409(e) of the said by-law is amended by striking out "is in other than a "cellar", and there is" in the first and second lines and inserting in lieu thereof "has".
4. Clause 709A(i) of the said by-law is repealed.
5. This by-law does not come into force until approved by the Ontario Municipal Board.

PASSED this

day of

A.D. 1983.

City Clerk

Mayor

(1983) 11 R.L.C. 6, April 26

BY-LAW NO. 83 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE Thirtyfirst DAY OF May, A.D., 1983.

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this

day of

A.D., 1983.

City Clerk

Mayor

ACCOPRESS®

25171	—	BLACK / NOIR	—	BGS2507
25172	—	BLUE / BLEU	—	BUS2507
25178	—	RED / ROUGE	—	BFS2507
25175	—	GREEN / VERT	—	BPS2507
25174	—	GREY / GRIS	—	BDS2507
25170	—	YELLOW / JAUNE	—	BYS2507
25179		X. RED / ROUGE X.		BXS2507
25177		TANGERINE		BAS2507
25173		R. BLUE / BLEU R.		BBS2507

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